

Please find attached the requested documents regarding the Power kiosk LLC Application to become Natural Gas Broker in state of Pennsylvania.

Thanks

reply to a data request on application A-2019-3008666

Utility Code 1221989

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:

Power Kiosk LLC
350 North LaSalle Street 9th Floor Chicago IL 60654
www.powerkiosk.com

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

InCorp Services Inc. 7208 Red Top Road Hummelstown, PA 17036

- 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.

Hamed Babai
350 North LaSalle Street 9th Floor Chicago IL 60654
855-475-4675
info@powerkiosk.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.

David Seidman
Attorney at Law
FISCHEL KAHN
155 N. Wacker Drive | Suite 1950 | Chicago, IL 60606
P: 312.726-0440 | F: 312.726.1448
info@powerkiosk.com

- e. **CONTACTS FOR CONSUMER SERVICE AND COMPLAINTS:** Provide the name, title, address, telephone number, fax number, and e-mail **OF THE PERSON AND AN ALTERNATE PERSON (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 Natural Gas 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 NGSs.

Nasim carlsen Client Associate
350 North LaSalle Street 9th Floor Chicago IL 60654
855-475-4675
Nasim@powerkiosk.com

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.

Applicant has no affiliate that does business or applying for license in Pennsylvania

- 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.

NO Predecessors Exist

4. OPERATIONS

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

Definitions

- Supplier – an entity which provides natural gas supply services to retail gas customers utilizing the jurisdictional facilities of a natural gas distribution company
- Broker/Marketer - an entity that acts as an intermediary in the sale and purchase of natural gas but does not take title to the natural gas.

The Applicant is presently doing business in Pennsylvania as a

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Electricity broker/Marketer with License number A-2018-3000981. We do not operate as a natural gas broker or Marketer

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

- Broker/Marketer engaged in the business of supplying natural gas services
- Check here to verify that your organization will not be taking title to the natural gas nor will you be making payments for customers.

c. PROPOSED SERVICES: Describe in detail the natural gas supply services which the Applicant proposes to offer.

ecommerce platform helping customers get competitive bids from the suppliers

d. **PROPOSED SERVICE AREA:** Check the box of each Natural Gas Distribution Company for which the Applicant proposes to provide service.

- | | |
|--|---|
| <input type="checkbox"/> Columbia | <input type="checkbox"/> Peoples Gas Company |
| <input type="checkbox"/> National Fuel Gas | <input type="checkbox"/> Philadelphia Gas Works |
| <input type="checkbox"/> PECO | <input type="checkbox"/> UGI Utilities – Gas Division |
| <input type="checkbox"/> Peoples Natural Gas Company | <input type="checkbox"/> Valley Energy |
| <input type="checkbox"/> Peoples Natural Gas – Equitable Div | <input checked="" type="checkbox"/> All of the above |

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

- Residential Customers
- Small Commercial Customers - (Less than 6,000 Mcf annually)
- Residential and Small Commercial as Mixed Meter ONLY **(CANNOT BE TAKEN WITH RESIDENTIAL AND/OR SMALL COMMERCIAL ABOVE)**
- Large Commercial Customers - (6,000 Mcf or more annually)
- Industrial Customers
- Governmental Customers
- All of above (Except Mixed Meter)**
- Other (Describe):

f. **START DATE:** Provide the approximate date the Applicant proposes to actively market within the Commonwealth.

Immediately after approval of license

5. COMPLIANCE

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

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

Applicant, its predecessors or a person identified as the company has never been a defendant of a criminal or civil proceeding within the last 5 years.

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

Not Applicable

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

PUC cancelled the license number 2014-2435574 for electricity brokerage due to missing deadline for submitting the bond certificate. It must be added that bond had been submitted on time but the name didn't match the licensee name. PUC started paying attention to this from that year and even though we tried hard to fix the issue PUC cancelled our license and we had to spend additional dollars to reapply for a license.

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

Not Applicable

6. PROOF OF SERVICE

Required of ALL Applicants regardless of operating as a supplier, broker, marketer, or aggregator.
(Example Certificate of Service is attached at Appendix C)

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

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

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

Office of the Small Business Advocate
Commerce Building, Suite 202
300 North Second Street
Harrisburg, PA 17101

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

Bureau of Investigation & Enforcement
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2 West
Harrisburg, PA 17120

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

applicant has met the security requirement of each NGDC by submitting the letters sent by the NGDCs stating what bonding amounts they require. The contact information is located in Section 6.b.

For Marketers and Brokers - Filing for a modification to the \$250,000 requirement and furnishing the **ORIGINAL** of an initial bond, letter of credit or proof of bonding to the Commission in the amount of \$10,000. Applicant is required to provide information supporting an amount less than \$250,000. Such supporting information must include indication that the Applicant will not take title to electricity and will not pay electricity bills on behalf of its customers. Further details for modification may be described as well.

No utility needs a bond from a broker.

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

- Actual (or proposed) organizational structure including parent, affiliated or subsidiary companies.
- Published Applicant or parent company financial and credit information (i.e. 10Q or 10K). (SEC/EDGAR web addresses are sufficient)
- Applicant's accounting statements, including balance sheet and income statements for the past two years.
- Past and forecast performance is attached.
- 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, evidence of Moody's, S&P, or Fitch ratings, and/or other independent financial service reports.
- Company is in start-up mode and early revenue. This doesn't apply
- 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 exhibiting accounts over a minimum two year period.
- Bank account statement, tax returns from the previous two years, or any other information that demonstrates Applicant's financial fitness. Bank Statement Attached

3- Months Bank Statement is attached plus two years Tax return

c. SUPPLIER FUNDING METHOD: If Applicant is operating as anything other than **Broker/Marketer only**, explain how Applicant will fund its operations. Provide all credit agreements, lines of credit, etc., and elaborate on how much is available on each item.

Not applicable for Brokers/Marketers

d. BROKER PAYMENT STRUCTURE: If applicant is a broker/marketer, explain how your organization will be collecting your fees.

Suppliers will pay the broker an enrollment fee and deposit that in broker's bank account after a successful sign up occurs.

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

Hamed Babai Accounting@powerkiosk.com
350 North LaSalle Street 9th Floor Chicago IL 60654
855-475-4675

- f. **TAXATION:** Complete the TAX CERTIFICATION STATEMENT attached as Appendix D to this application.

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

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

8. TECHNICAL FITNESS:

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

- a. **EXPERIENCE, PLAN, STRUCTURE:** such information may include:

- Applicant's previous experience in the natural gas industry.
- Company is doing business and has served over 4000 customers in states of IL, TX, MD and MA.NJ, DC, DE, CT and Canada and is planning to expand into the other territories. We have had no case of complaint and have been keeping customers satisfied and happy. Dr. Hamed Babai, CEO of Power Kiosk, has a PhD from Northwestern University and has 7 years of experience in the energy marketing bsuienss.
- Summary and proof of licenses as a supplier of electric services in other states or jurisdictions.
 - o Attached
- Type of customers and number of customers Applicant currently serves in other jurisdictions.
 - o Residential-Commencil and Industria and Government
- Staffing structure and numbers as well as employee training commitments.
 - o Power Kiosk is registered and based in state of Illinois. Our management include our VP of Indirect channel Eddie Gordo, next to CEO, Hamed Alibabai.

Our employees are managed directly by the management team (3 employees). Management team is in charge of educating and bringing up to speed our employee and sales staff.

- Business plans for operations within the Commonwealth.
 - o See the attached Exhibit
- Documentation of membership in PJM, ECAR, MAAC, other regional reliability councils, or any other membership or certification that is deemed appropriate to justify competency to operate as an EGS within the Commonwealth.
 - o Not Applicable for brokers

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

- Internal – Applicant will use its own internal resources/employees for marketing**
- External NGS – Applicant will contract with a PUC LICENSED NGS Affiliate – Applicant will use a NON-NGS affiliate that is a nontraditional marketer and/or marketing services consultant**
- External Third-Party – Applicant will contract with a NON-NGS third party nontraditional marketer and/or non-selling marketer**
- Other (Describe):**

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

- Yes**
- No**

If yes, will the Applicant be using verification procedures?

- Yes**
- No**

If yes, describe the Applicant's verification procedures.

Electronic Signature and Email verification. This is followed up by a compliance call.

d. **OVERSIGHT OF MARKETING:** Explain all methods Applicant will use to ensure all marketing is performed in an ethical manner, for both employees and subcontractors.

Email verification of Esignature. Regulating pricing, sales presentations, pitches and random check on the enrolled customers

I, Hamed Babai, Certify that the facts above set forth are true and correct to the rest of my knowledge, information and belief, and that I expect to be able to prove the same in a hearing held in this manner. IU understand that statements herein are made subject to the penalties of 18 pa. C.S. & 4904 (relating to unsworn falsification of information.)

Hamed Babai

04/01/2019

Hamed Babai CEO

I, Hamed Babai, Certify that the facts above set forth are true and correct to the rest of my knowledge, information and belief, and that I expect to be able to prove the same in a hearing held in this manner. IU understand that statements herein are made subject to the penalties of 18 pa. C.S. & 4904 (relating to unsworn falsification of information.)

Hamed Babai

04/01/2019



Founder and Chief Executive Officer

Power Kiosk

Jan 2014 – Present · 5 yrs 4 mos
Greater Chicago Area

Build the world's largest marketplace of energy buyers and sellers by providing transparency, choice, and intelligence.

Whether you are an energy broker/consultant or an Enterprise user our goal is to empower your energy choice and simplify your experience.



Power Kiosk, Future
of energy brokerage



Founder and Chief Executive Officer

Data Gearbox

Mar 2013 – Present · 6 yrs 2 mos
Greater Chicago Area

Data Gearbox knows best how to use machine and data to your advantage. In today's highly competitive market place, reliable forecasting of the future is essential to your firm's success and that is why we are here to help you. We connect your thoughts to the machine world in the subtlest ways and show you what you may not observe by the first look.



Chief Technology Officer

Best Energy

Jan 2012 – Jan 2013 · 1 yr 1 mo

In this role, Hamed managed the technology road map, and advised the firm in integration of business and technology toward achieving the desired results. His solid technical background and experience in dealing with c-suite challenges gives him a unique advantage in serving such a role.



Post Doctorate Fellow

Northwestern University

Jun 2011 – Jul 2012 · 1 yr 2 mos
Evanston, IL

He was associated with Northwestern University and managed large-scale industrial and government projects. The focus of these projects is to incorporate risk measures and real time data in decision support systems. He has been involved in logistics, public transportation and airline industries and has managed large groups of people for achieving the objectives.

CHAIRMAN
Martin P. Honigberg

COMMISSIONER
Robert R. Scott
Kathryn M. Bailey

EXECUTIVE DIRECTOR
Debra A. Howland

STATE OF NEW HAMPSHIRE



PUBLIC UTILITIES COMMISSION
21 S. Fruit St., Suite 10
Concord, N.H. 03301-2429

TDD Access: Relay NH
1-800-735-2964

Tel. (603) 271-2431

FAX No. 271-3878

Website:
www.puc.nh.gov

March 8, 2017

Hamed Babai
Power Kiosk LLC
350 North LaSalle Street 9th Floor
Chicago IL 60654

Re: DM 17-020 NRG Kiosk LLC
Application to Register as Provider of Natural Gas Aggregation Service

Dear Mr. Babai:

On February 2, 2017, NRG Kiosk LLC submitted an application with the Commission to register as a provider of natural gas aggregation service. Staff reviewed the application and determined that it is complete.

The Commission approves your application effective as of March 8, 2017. The registration is for a term of 2 years and expires at the end of business on, March 7, 2017. Pursuant to N.H. Code Admin. Rules Puc 3003.02(a), you must submit your next renewal application at least 60 days prior to the expiration of the registration approved here, on or before January 7, 2017. .

Please be aware that registered providers of natural gas aggregation service are subject to specific requirements contained in N.H. Code Admin. Rules Puc 3000 - Competitive Natural Gas Supplier and Aggregator Rules. These rules are available at:
<http://www.puc.state.nh.us/Regulatory/Rules/PUC3000.pdf>.

Please note that, effective as of July 1, 2014, each registered natural gas aggregator is subject to an annual assessment of \$2,000, unless it demonstrates that its gross revenue in New Hampshire during the preceding fiscal year (from July 1 through June 30) was less than \$10,000, pursuant to RSA 363-A:2, III and 5.

Sincerely,

A handwritten signature in black ink that reads "Debra A. Howland".

Debra A. Howland
Executive Director

cc: Service List/Docket File



THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

MATTHEW A. BEATON
SECRETARY OF ENERGY
AND ENVIRONMENTAL AFFAIRS

ONE SOUTH STATION
BOSTON, MA 02110
(617) 305-3500

ANGELA M. O'CONNOR
CHAIRMAN

JOLETTE A. WESTBROOK
COMMISSIONER

ROBERT E. HAYDEN
COMMISSIONER

January 31, 2017

Hamed Babai
Power Kiosk, LLC
360 East South Water St., Ste.1703
Chicago, IL 60601

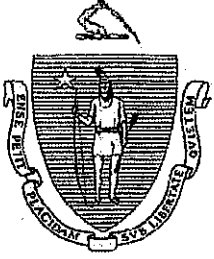
Mr. Babai,

The Department of Public Utilities has reviewed Power Kiosk, LLC ("Power Kiosk") application for renewal of its Gas Retail Agent license to serve commercial and industrial customers in the Commonwealth of Massachusetts. I am pleased to inform you that the application has been approved. Power Kiosk's license number is **RA-148**.

As a condition of maintaining its license, Power Kiosk must file updated information within 30 days of any material change in the information required by 220 C.M.R. § 14.04(2), and must comply with all relevant requirements of G.L. c. 164 and the regulations thereunder, including 220 C.M.R. §§ 12.00, 14.00 et seq. If you decide to request renewal of Power Kiosk's license next year, please submit a renewal application that includes audited financial statements, at least 30 days prior to the expiration of this license.

Sincerely,


Mark D. Marini, Secretary



THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

MATTHEW A. BEATON
SECRETARY OF ENERGY
AND ENVIRONMENTAL AFFAIRS

ONE SOUTH STATION
BOSTON, MA 02110
(617) 305-3500

ANGELA M. O'CONNOR
CHAIRMAN

JOLETTE A. WESTBROOK
COMMISSIONER

ROBERT E. HAYDEN
COMMISSIONER

December 7, 2015

Hamed Babai
Power Kiosk LLC
345 East Wacker Drive, Ste. 4504
Chicago, IL 60601

Dr. Babai,

The Department of Public Utilities has reviewed Power Kiosk LLC's ("Power Kiosk") application for a Gas Retail Agent license to serve commercial and industrial customers in the Commonwealth of Massachusetts. I am pleased to inform you that the application has been approved. Power Kiosk's license number is RA-148.

As a condition of maintaining its license, Power Kiosk must file updated information within 30 days of any material change in the information required by 220 C.M.R. § 14.04(2), and must comply with all relevant requirements of G.L. c. 164 and the regulations thereunder, including 220 C.M.R. §§ 12.00, 14.00 et seq. If you decide to request renewal of Power Kiosk's license next year, please submit a renewal application that includes audited financial statements, at least 30 days prior to the expiration of this license.

Sincerely,


Mark D. Marini, Secretary

FILE

3

The Public Utilities Commission of Ohio

Ohio Competitive Retail Natural Gas Aggregator/Broker Certificate

Issued pursuant to Case Number(s):
15-1569-GA-AGG

is
Ohio Competitive Retail Natural Gas Aggregator/Broker Certificate Number:
15-470G(1)

Granted to:
NRG Kiosk LLC

Whose office or principal place of business is located at:
345 East Wacker Drive, Suite 4504 Chicago, IL 60601

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

Certification Effective:
October 9, 2015 through October 9, 2017

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: **October 13, 2015**

By Order of
The Public Utilities Commission of Ohio



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

CRNGS AUTOMATIC CASE ACTION FORM

Case No. 15-1569-GA-AGG

Date Sent: October 13, 2015

Effective Date of Certificate: October 9, 2015

Certificate Expires: October 9, 2017

Company Name and Company Name d/b/a: NRG Kiosk LLC

Renewal

Action Needed:

Issue Certificate Number 15-470G (1) to: NRG Kiosk LLC at (address):
345 East Wacker Drive, Suite 4504, Chicago, IL 60601

Certified To Provide the Following Services:

- Retail Natural Gas Aggregator
- Retail Natural Gas Broker
- Retail Natural Gas Supplier
- Natural Gas Governmental Aggregator

Renew Certificate No. to

Revise Certificate No. to (check all applicable):

- Reflect name change from to
- Reflect address change from to
- Add new service offering to certificate:
 - Retail Natural Gas Aggregator
 - Retail Natural Gas Broker
 - Retail Natural Gas Supplier
 - Natural Gas Governmental Aggregator
- Correct Administrative Error
- Reflect Change of Ownership to:

Cancel Certificate No.

Protect Un-redacted copies until

Close Case File, Case Withdrawn at Applicant's Request

Close Case File

CASE NUMBER: 15-1569-GA-AGG
CASE DESCRIPTION: NRGGL LLC
DATE OF SERVICE: 10/13/2015
DOCUMENT SIGNED ON: 10 / 13 / 15

Sign Here: _____ *Jaudy*

APPLICANT

PARTY OF RECORD

ATTORNEY

NRG KIOSK LLC
HAMED BABAI
345 EAST WACKER DRIVE SUITE 4504
CHICAGO,IL 60601
Phone:301-412-5780
Email:HBABAI@POWERKIOSK.COM

NONE

ATTORNEY

PARTY OF RECORD

ATTORNEY

none

*Babai, Hamed Mr.
NRG Kiosk
345 East Ohio Street, Suit 2008
Chicago,IL 60606
Phone:(301)412-5780
Email:hbabai@datagearbox.com

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

NRG Kiosk LLC :
 :
Application for Licensure of : **13-0624**
Agents, Brokers and Consultants :
under Section 16-115C of the :
Public Utilities Act. :

ORDER

By the Commission:

I. INTRODUCTION

On November 12, 2013, NRG Kiosk LLC (“Applicant”) filed a verified application with the Illinois Commerce Commission (“Commission”) requesting a certificate of service authority to operate as an agent, broker, or consultant (“ABC”) in Illinois pursuant to Section 16-115C of the Public Utilities Act (“Act”), 220 ILCS 5/1-101 *et seq.*, and 83 Ill. Adm. Code 454, "Licensure of Retail Electric Agents, Brokers and Consultants" (“Part 454”). Applicant requests authority to offer services as an ABC for the procurement or sale of retail electricity supply for third parties in the State of Illinois. Upon review of the application, Staff of the Commission (“Staff”) requested additional information and clarification of certain matters. On January 27, 2014, Applicant filed a verified Addendum. Since all of the information to grant the requested relief was contained in the application, the Hearing was waived.

II. REQUIREMENTS FOR ALL APPLICANTS UNDER SECTION 16-115C OF THE ACT

Applicant is a business organized under the laws of and authorized to transact business in the State of Illinois. Applicant has certified that it will comply with all applicable regulations; that it will comply with informational and reporting requirements established by Commission rule; that it will comply with informational and reporting requirements pursuant to Section 16-115C of the Act; and that it will comply with all other applicable laws, regulations, terms, and conditions required to the extent they have application to the services being offered by an ABC. Applicant has agreed to ensure that any person who acts on its behalf will comply with all applicable sections of Part 454. Applicant agrees that it will remain in compliance with the provisions of the Act and Part 454, and will ensure that authorizations received from customers, and all other applicable records are retained for a period of not less than three calendar years after the calendar year in which they were created. Applicant has agreed to adopt and follow rules and procedures to preserve the confidentiality of its customers’ data. The Applicant has also attested that no complaints have been filed against it for its provision

of services in the electric or gas industry in the jurisdictions where it provides or is seeking to provide services.

III. FINANCIAL, TECHNICAL, AND MANAGERIAL REQUIREMENTS OF SECTION 16-115C

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

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

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

IV. COMMISSION CONCLUSION AND CERTIFICATE OF SERVICE AUTHORITY

The Commission has reviewed the application and attachments along with the supplementary information provided by Applicant regarding the technical, managerial, and financial requirements and all other requirements of the Act and Part 454 and finds that the Applicant sufficiently demonstrates compliance with the requirements. The Commission concludes, therefore, that Applicant's request for a certificate of service authority to operate as an ABC in Illinois should be granted and should include the following authority:

CERTIFICATE OF SERVICE AUTHORITY

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

V. FINDINGS AND ORDERING PARAGRAPHS

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

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

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

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

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

By Order of the Commission this 5th day of February, 2014.

(SIGNED) DOUGLAS P. SCOTT

Chairman



THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES

CHARLES D. BAKER
GOVERNOR

ONE SOUTH STATION
BOSTON, MA 02110
(617) 305-3500

ANGELA M. O'CONNOR
CHAIRMAN

KARYN E. POLITO
LIEUTENANT GOVERNOR

JOLETTE A. WEST
COMMISSIONER

MATTHEW A. BEATON
SECRETARY OF ENERGY
AND ENVIRONMENTAL AFFAIRS

ROBERT E. HAYES
COMMISSIONER

March 3, 2015

Hamed Babai, CEO
Power Kiosk, LLC
345 East Wacker Drive, Suite 4504
Chicago, IL 60601

Re: Electricity Broker Application

Dear Mr. Babai,

The Department of Public Utilities ("Department") has reviewed Power Kiosk, LLC's application for an Electricity Broker license in the Commonwealth of Massachusetts and is pleased to inform you that the Department has approved your application. Please find enclosed a copy of your approved application. Your license number is EB-310.

As a condition of maintaining this license, Power Kiosk, LLC must file updated information within 30 days of any material or organic change in the information required by 220 C.M.R. § 11.05(2), and must comply with all relevant requirements of G.L. c. 164 and the regulations promulgated thereunder, including 220 C.M.R. §§ 11.00, 12.00 *et seq.* If you decide to request renewal of your license next year, please submit your renewal application no later than April 1, 2016.



Sincerely,


Mark D. Marini, Secretary



E:	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	CO
2/2013	201322400257	REG. OF FOR. PROFIT LIM. LIAB. CO. (LFP)	125.00	100.00	.00	.00	

Receipt

This is not a bill. Please do not remit payment.

NRG KIOSK
 ATTN: HAMED BABAI
 215 WEST WASHINGTON STREET UNIT 3102
 CHICAGO, IL 60606

**STATE OF OHIO
 CERTIFICATE**

**Ohio Secretary of State, Jon Husted
 2221005**

It is hereby certified that the Secretary of State of Ohio has custody of the business records for
NRG KIOSK

and, that said business records show the filing and recording of:

Document(s)

REG. OF FOR. PROFIT LIM. LIAB. CO.

Document No(s):

201322400257

Effective Date: 08/12/2013



United States of America
 State of Ohio
 Office of the Secretary of State

Witness my hand and the seal of
 the Secretary of State at Columbus,
 Ohio this 12th day of August, A.D.
 2013.

Jon Husted

Ohio Secretary of State

State of New Jersey



Board of Public Utilities

44 South Clinton Avenue, 3rd Floor, Suite 314, P.O. Box 350, Trenton, New Jersey 08625-0350


HEREBY REGISTERS

Power Kiosk LLC

350 North LaSalle Street, Suite 9th Floor
Chicago, Illinois 60654

To conduct business in the State of New Jersey as a

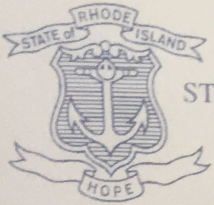
Private Aggregator



Irene Kim Asbury

Irene Kim Asbury
Secretary to the Board

Registration No. PA-0192
Effective Date: January 25, 2017
Expiration Date: January 24, 2018



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

DIVISION OF PUBLIC UTILITIES AND CARRIERS

89 Jefferson Boulevard
Warwick, R.I. 02888
(401) 941-4500

FAX (401) 941-9248
TDD (401) 941-4500

February 7, 2017

Hamed Babai
CEO
NRG Kiosk
350 N. LaSalle St, 9th Floor
Chicago, IL 60654

Re: NRG Kiosk's Application for Registration as a Non Regulated Power Producer pursuant to R.I.G.L. 39-1-27.1(c). Division Docket D-96-6 (R8)

Dear Mr. Babai:

The Division of Public Utilities has reviewed NRG Kiosk's application for registration as a nonregulated power producer, pursuant to R.I.G.L. 39-1-27.1(c) and the Division's Rules Applicable to Nonregulated Power Producers. The application is complete as to the statutory requirements of 39-1-27.1(c), itemized in statute at (i) through (ix) and the Division's rules.

The Division accepts the registration application of NRG Kiosk as a nonregulated power producer. In conformance with the law, please note that the registration must be updated within ten days of any change to the information included in your application.

Very truly yours,

John Bell
Assistant Chief Accountant

cc: Luly Massaro, Commission Clerk

State of New Jersey



Board of Public Utilities

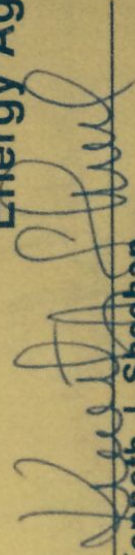
44 South Clinton Avenue, P.O. Box 350, Trenton, New Jersey 08625-0350

HEREBY REGISTERS

NRG Kiosk LLC
d/b/a Power Kiosk LLC
208 West State Street
Trenton, New Jersey 08608-1002

To conduct business in the State of New Jersey as an

Energy Agent


Kenneth J. Sheehan
Secretary to the Board



Registration No. EA-0312
Effective Date: February 11, 2015
Expiration Date: February 10, 2016

February 1, 2017

POWER KIOSK
Application for License to Operate
As A Competitive Electricity Provider

ORDER GRANTING LICENSE

VANNOY, Chairman; MCLEAN and WILLIAMSON, Commissioners

I. SUMMARY

Through this Order, Power Kiosk (Power Kiosk or the Company) is issued a license to operate as a competitive electricity provider furnishing aggregator/broker services to the all customer classes throughout Maine's service territories pursuant to Chapter 305 of the Commission's Rules.

II. APPLICATION AND DECISION

On December 17, 2016, Power Kiosk applied to the Commission to operate in Maine as a competitive electricity provider pursuant to Chapter 305. The Company proposes to provide aggregator/broker service to all customer classes throughout Maine's service territories and has met all the Chapter 305 filing requirements.

As a licensed competitive electricity provider, Power Kiosk is required to comply with all applicable requirements and regulations, including all conditions of licensing, assignments, customer protection rules, and the filing of annual reports. To the extent that a licensed competitive electricity provider uses third-parties to assist in obtaining customers during the course of its business, Chapter 305 § 4(C) of the Commission's rules places the responsibility on the competitive electricity provider for violations of the provisions of this section by representatives or agents acting on the competitive electricity provider's behalf. Chapter 305 § 2(C)(3) also requires a competitive electricity provider to use reasonable efforts to avoid conducting business with any entity acting as a competitive electricity provider in Maine without a license from the Commission. Therefore, if the Company uses a third party to market its services, it is responsible to ensure that the third party has met any licensing requirements of the Commission.

Pursuant to a Delegation Order dated April 23, 2008 in Docket No. 2008-185, *PUBLIC UTILITIES COMMISSION, Delegation of Authority to License Competitive Electricity Providers*, the Commission delegated to the Director of Technical Analysis the authority under 35-A M.R.S. §§ 3203 (1) & (2) and Chapter 305, §2 to license competitive electricity providers. On September 12, 2009, in Docket No. 2009-260, statutory changes took effect that changed the title of this position. P.L. 2009, ch. 122. The Director of Technical Analysis is now the Director of Electric and Gas Utility Industries. All existing delegation orders that delegate Commission authority to the

Director of Technical Analysis will now read that we delegate our authority to the Director of Electric and Gas Utility Industries.

Accordingly, it is

O R D E R E D

1. That Power Kiosk is hereby issued a license to operate as a competitive electricity provider pursuant to Chapter 305 of the Commission's Rules, to provide aggregator/broker services to all customer classes throughout Maine's service territories pursuant to Chapter 305 of the Commission's Rules; and
2. That this license is effective on the date of this Order and valid until revoked or suspended by the Commission pursuant to section 3(A)(4) of Chapter 305, or abandoned by the licensee pursuant to sections 2(D)(10) and 2(D)(11) of Chapter 305 of the Commission's Rules.

Dated at Hallowell, Maine, this 1st day of February, 2017.

BY ORDER OF THE DIRECTOR OF ELECTRIC AND GAS UTILITY INDUSTRIES



Faith Huntington

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought. Any petition not granted within 20 days from the date of filing is denied.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 21 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.

**PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA
1333 H STREET N.W., 2ND FLOOR, WEST TOWER
WASHINGTON, D.C. 20005**

ORDER

June 5, 2015

**FORMAL CASE NO. EA 2015-01, IN THE MATTER OF THE APPLICATION
OF NRG KIOSK LLC D/B/A POWER KIOSK LLC FOR AN ELECTRICITY
SUPPLIER LICENSE, Order No. 17904**

I. INTRODUCTION

1. By this Order, the Public Service Commission of the District of Columbia (“Commission”) grants a license to NRG Kiosk LLC d/b/a Power Kiosk LLC (“NRG Kiosk” or “Applicant”) to function as an electricity supplier in the District of Columbia.¹ The license for NRG Kiosk LLC d/b/a Power Kiosk LLC is effective upon issuance of this Order.

II. BACKGROUND

2. On January 23, 2015, NRG Kiosk filed its license application.² Specifically, NRG Kiosk intends to operate as a broker/aggregator of electricity for residential, commercial and industrial customers in the District of Columbia, pursuant to Section 34-1505 of the “Retail Electric Competition and Consumer Protection Act of 1999 (“Act”).”³ Pursuant to the Commission’s licensing requirements as set forth in Order No. 11796,⁴ NRG Kiosk has provided the following information:

- a) Proof of technical and managerial competence;
- b) An affidavit of compliance with applicable Federal and District of Columbia environmental laws and regulations dated January 20, 2015;

¹ D.C. Official Code § 34-1501(17) (2001) defines, in part, an electricity supplier as “a person, including an aggregator, broker, or marketer, who generates electricity; sells electricity; or purchases, brokers, arranges or markets electricity for sale to customers.”

² *Formal Case No. EA 2015-01, In the Matter of the Application of NRG Kiosk LLC d/b/a Power Kiosk LLC for an Electricity License (“Formal Case No. EA 2015-01”), Application of NRG Kiosk LLC d/b/a Power Kiosk LLC filed January 23, 2015.*

³ D.C. Official Code § 34-1505; *see generally* §§ 34-1501-1520.

⁴ *Formal Case No. 945, In the Matter of the Investigation into Electric Service Market Competition and Regulatory Practices, Order No. 11796 at Attachment C, rel. September 20, 2000.*

- c) Proof of financial integrity to include financial statements;
- d) Proof that NRG Kiosk has registered with the Department of Consumer and Regulatory Affairs to do business in the District of Columbia;
- e) An affidavit dated January 20, 2015, stating that NRG Kiosk is subject to all applicable taxes;
- f) An affidavit dated January 20, 2015, stating that NRG Kiosk will comply with all the requirements of all orders and regulations of the Commission; and
- g) Applicant's website address: <http://www.powerkiosk.com>.

NRG Kiosk filed supplemental financial information on April 2 and April 21, 2015.⁵

III. DISCUSSION

3. Our review of the information contained in NRG Kiosk's application, demonstrates that it has met all the prescribed licensing requirements and that the Applicant has the ability and the financial integrity to serve electricity customers in the District of Columbia. The Commission also finds that granting NRG Kiosk's application will serve the public interest. Accordingly NRG Kiosk's application is approved.

THEREFORE, IT IS ORDERED THAT:

4. The application of NRG Kiosk LLC d/b/a Power Kiosk LLC for a license to conduct business in the District of Columbia as an electricity supplier is hereby **GRANTED**. The license for NRG Kiosk LLC d/b/a Power Kiosk LLC is effective upon issuance of this Order.

A TRUE COPY:

BY DIRECTION OF THE COMMISSION:



CHIEF CLERK:

**BRINDA WESTBROOK-SEDGWICK
COMMISSION SECRETARY**

⁵ *Formal Case No. EA 2015-01*, NRG Kiosk filed supplemental financial information on April 2 and April 21, 2015.

CHAIRMAN
Martin P. Honigberg

COMMISSIONER
Robert R. Scott

EXECUTIVE DIRECTOR
Debra A. Howland

STATE OF NEW HAMPSHIRE



PUBLIC UTILITIES COMMISSION

21 S. Fruit St., Suite 10
Concord, N.H. 03301-2429

TDD Access: Relay NH
1-800-735-2964

Tel. (603) 271-2431

FAX No. 271-3878

Website:
www.puc.nh.gov

May 12, 2015

Hamed Babai
NRG Kiosk (Power Kiosk)
345 East Wacker Dr., Suite 4504
Chicago, IL 60601

Re: DM 15-126 NRG Kiosk, LLC, d/b/a Power Kiosk
Application to Register as Provider of Electric Aggregation Service

Dear Mr. Babai:

On April 24, 2015, NRG Kiosk, LLC, d/b/a Power Kiosk submitted an application with the Commission to register as a provider of electric aggregation service. Staff reviewed the application and determined that it is complete.

The Commission approves your application effective as of May 11, 2015. The registration is for a term of two years and expires at the end of business on May 10, 2017. Pursuant to N.H. Code Admin. Rules Puc 2003.05(a), you must submit your next renewal application at least 60 days prior to the expiration of the registration approved here, on or before March 12, 2017.

Please be aware that registered providers of electric aggregation service are subject to specific requirements contained in N.H. Code Admin. Rules Puc 2000 – Competitive Electric Power Supplier and Aggregator Rules. These rules are available at: <http://www.puc.nh.gov/Regulatory/Rules/PUC2000.pdf>. Please also be aware that the Commission has opened Docket DRM 13-151 to consider revisions to these rules. All non-confidential filings in Docket DRM 13-151 can be found at <http://www.puc.nh.gov/Regulatory/Docketbk/2013/13-151.html>. The revised rules may contain different requirements for maintaining registration as a provider of electric aggregation service that might affect your registration.

Please note that, effective as of July 1, 2014, each registered electric load aggregator is subject to an annual assessment of \$2,000, unless it demonstrates that its gross revenue in New Hampshire during the preceding fiscal year (from July 1 through June 30) was less than \$10,000, pursuant to RSA 363-A:2, III and 5.

Sincerely,

A handwritten signature in black ink, appearing to read "Debra A. Howland".

Debra A. Howland
Executive Director

cc: Service List/Docket File

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE**

IN THE MATTER OF THE APPLICATION)
OF NRG KIOSK, LLC D/B/A POWER)
KIOSK FOR A CERTIFICATE TO) PSC DOCKET NO. 14-145
PROVIDE ELECTRIC SUPPLY SERVICES)
WITHIN THE STATE OF DELAWARE)
(SUBMITTED APRIL 30, 2014 AND)
FILED OCTOBER 9, 2014))

ORDER NO. 8676

ELECTRIC SUPPLIER CERTIFICATE

This 4th day of December 2014, the Public Service Commission (the "Commission") determines and orders the following:

WHEREAS, on April 30, 2014, NRG KIOSK, LLC D/B/A POWER KIOSK (the "Company") submitted an application (the "Application") pursuant 26 *Del. C.* §1001 - §1020, the Electric Utility Restructuring Act (the "Act") and 26 *Del. Admin. C.* §3001, the Commission's Rules for Certification and Regulation of Electric Suppliers (the "Supplier Rules"),¹ seeking certification as a retail electric supplier in order to broker the sale or purchase of Electric Supply Service; and

WHEREAS, in the Application, the Company states it is seeking certification as a Broker² that will utilize appropriate energy procurement strategies to meet the needs of commercial and industrial customers in Delaware; and

¹ Unless otherwise noted, capitalized terms shall have the meanings ascribed to them in the Act and the Supplier Rules.

² Pursuant to §1001(3) of the Act, "Broker" is defined as a person or entity that acts as an agent or intermediary in the sale or purchase of, but that does not take title to, electricity for sale to retail electric customers." Although a Broker never takes "title" to any electric supply product, §1001(14) (c) of the Act deems a broker an "Electric Supplier."

WHEREAS, Staff reports that the Application fulfills all of the requirements for an Electric Supplier Certificate to act as a Broker as set forth in the Supplier Rules. In particular, Staff reports that the Company appears to possess the financial, operational, managerial, and technical capabilities to operate as a Broker of Electric Supply Service. Therefore, Staff recommends that the Commission issue an Electric Supplier Certificate authorizing the Company to broker sales and customer purchases of Electric Supply Services in the State of Delaware;

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE VOTE OF NOT FEWER THAN THREE COMMISSIONERS:

1. The Company is hereby granted a certificate to do business and operate as an "Electric Supplier" (Broker) within the State of Delaware. Under this Electric Supplier Certificate, the Company is authorized to broker Electric Supply Service within the State of Delaware consistent with and in accordance with the Act and the Supplier Rules.

2. The Company is hereby notified that a violation of any applicable order, statute, regulation, rule, or other controlling authority may be enforced by sanctions permitted by §§1012(a) and 1019 of the Act and §3001-10.2 of the Supplier Rules.

3. The Company shall file such reports and pay such fees and assessments as may be required or imposed by §§114, 115 and 1012(c) (2) of the Act and §§3001-3.9 and 3.10 of the Supplier Rules.

4. The Company consents to the jurisdiction of the courts of the State of Delaware for all acts or omissions related to its offering of Electric Supply Services in this State.

5. The Company is hereby placed on notice that the costs of this proceeding will be charged to it pursuant to §114(b) (1) of the Act.

6. The Commission reserves the jurisdiction and authority to enter such further Orders in this matter as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:

/s/ Dallas Winslow
Chair

/s/ Harold B. Gray
Commissioner

/s/ Jeffrey J. Clark
Commissioner

/s/ Jaymes B. Lester
Commissioner

Commissioner

ATTEST:

/s/ Alisa Carrow Bentley
Secretary

KAILS

RECEIVED

AUG 07 2014

STAFF COUNSEL DIVISION

STATE OF MARYLAND
PUBLIC SERVICE COMMISSION

NUMBER: IR-3341
Supplemental Comments
DATE: August 7, 2014
MAIL LOG NO.: 155681

TO: W. Kevin Hughes, Chairman
Harold D. Williams, Commissioner
Lawrence Brenner, Commissioner
Kelly Speakes-Backman, Commissioner
Anne E. Hoskins, Commissioner

FROM: Anthony Myers, Acting Executive Director 

RE: NRG Kiosk d/b/a Power Kiosk Application for a License to Supply Electricity or Electric Generation Services In Maryland.

Description of Application:


On June 5, 2014, NRG Kiosk d/b/a Power Kiosk ("Kiosk") filed an application for a license to supply electricity or electric generation services in Maryland.


Groups which should receive a copy of Staff Recommendations:

NRG Kiosk d/b/a Power Kiosk
Office of People's Counsel

Recommended Action:

Staff recommends that the Commission grant Kiosk a license to operate as an electricity supplier in Maryland, limited to broker services. The license should include a condition that prohibits Kiosk from using the name NRG Kiosk in Kiosk's marketing or contract materials, or in Kiosk's communications with customers. Additionally, Kiosk is directed to provide marketing and training materials specific to its Maryland operations to the Commission Staff and Office of People's Counsel 30 days prior to commencing operations in Maryland. Finally, Staff recommends the Commission direct Kiosk to notify the Commission within 30 days of any changes to the information upon which the Commission relied in granting this license.


Crissy Godfrey
Director, EAP


Leslie Romine
Staff Counsel KA

Commission Action on _____:
Approved _____ Disapproved _____ Accept for Filing _____



**Comments of the Energy Analysis and Planning Division (IR-3341) -
Supplemental Comments
RE: Electricity Supplier application of NRG Kiosk dba Power Kiosk
DATE: August 7, 2014
MAIL LOG NO: 155681**

Summary of Filing:

On June 5, 2014, Kiosk filed an application for a license to supply electricity or electric generation services in Maryland, limited to broker services. At its Administrative Meeting on July 23, 2014, the Commission deferred action on the request.

Applicable Law:

Section 7-507 of the Public Utilities Article ("PUA") of the Annotated Code of Maryland requires that a person be licensed by the Commission in order to engage in business as an electricity supplier. The applicant for such a license must prove technical and managerial competence, financial integrity, compliance with all applicable requirements of the Federal Energy Regulatory Commission and the appropriate regional transmission operator and provide certification of compliance with applicable federal and State environmental laws and regulations relating to the generation of electricity (PUA §7-507(b) and (c)). The applicant must provide proof that it is qualified to do business in the State with the Department of Assessments and Taxation, and must agree to be subject to all applicable taxes. The Commission also examines the applicant's compliance with the laws governing energy suppliers in other States in which the applicant serves as a supplier. Specific methods of proving financial integrity are set forth in COMAR 20.51.02.

Background:

At its Administrative Meeting on July 23, 2014, the Commission deferred action on the request by NRG Kiosk, doing business as Power Kiosk (referred to here as Kiosk), for authorization from the Maryland PSC to serve as an electricity broker in Maryland. The commissioners expressed concern that Kiosk's use of the name "NRG Kiosk" might mislead Kiosk's customers into believing that there is an affiliation between NRG Energy and Kiosk in connection with Kiosk's brokering activities, which might mean that NRG Energy will back-up Kiosk's contractual commitments to its customers.

Kiosk is registered with the Maryland Department of Assessments and Taxation ("SDAT") as Power Kiosk, LLC, a/k/a NRG Kiosk. Kiosk explained to Staff that in choosing the name NRG Kiosk, Kiosk was not aware that there was an existing company named NRG Energy:



**Comments of the Energy Analysis and Planning Division (IR-3341) -
Supplemental Comments
RE: Electricity Supplier application of NRG Kiosk dba Power Kiosk
DATE: August 7, 2014
MAIL LOG NO: 155681**

We honestly name[d] [our company NRG Kiosk] not even knowing of NRG Energy. Later we realized that the name is trademarked and we haven't used the name NRG Kiosk at all.

In its comments filed at the Commission on July 21, 2014, the Office of People's Counsel ("OPC") stated that NRG Energy's senior regulatory counsel Abraham Silverman told OPC that "NRG Kiosk was licensed by NRG Energy to use the name NRG in association with the term Kiosk, but otherwise had no other affiliation with the company." NRG Energy stated that once it realized that Kiosk was using "NRG" as part of its name, NRG Energy decided to authorize Kiosk to use this name, on the condition that Kiosk not use the name "NRG" in its communications with the public:

As I understand it, all we could do [once we discovered that Kiosk was using "NRG" as part of its name] was to enter into an agreement with [Kiosk] that they would not use the "NRG" portion of their name when interfacing with the public. So we have no control over what they call themselves, so long as they aren't out in the market using the NRG name.

NRG Energy explained to Staff that "we have no relationship whatsoever with [Kiosk] – they are completely unrelated to NRG [Energy].

Kiosk said that it will not use the name NRG Kiosk in its marketing or contract materials, or in its communications with customers:

We registered the company as an LLC in Illinois as NRG Kiosk. In one month we got a dba for Power Kiosk and since then have been using [the name] Power Kiosk everywhere. Customers will never see the name NRG Kiosk. There is [sic] no marketing materials, websites and customer facing pages/docs with NRG Kiosk name. [NRG Kiosk] is our back-end legal name. We are not going to talk about NRG Kiosk in any of our documents given we are not even using that name.

Analysis:

As noted, Kiosk said that it will not use the name NRG Kiosk in its marketing or contract materials, or in its communications with customers. Therefore, Staff



STATE OF MARYLAND
PUBLIC SERVICE COMMISSION

**Comments of the Energy Analysis and Planning Division (IR-3341) -
Supplemental Comments**

RE: Electricity Supplier application of NRG Kiosk dba Power Kiosk

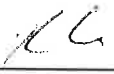
DATE: August 7, 2014

MAIL LOG NO: 155681

recommends that Kiosk's authorization to operate as a broker reflect this commitment by Kiosk by including a condition that prohibits Kiosk from using the name NRG Kiosk in Kiosk's marketing or contract materials, or in Kiosk's communications with customers. With this condition, Staff believes that the fact that Kiosk's legal name is NRG Kiosk will not mislead customers into believing that (1) Kiosk is affiliated with NRG Energy, or (2) NRG Energy is in any way involved with Kiosk's operations or management.

Recommendation:

Staff recommends that the Commission grant Kiosk a license to operate as an electricity supplier in Maryland, limited to broker services. The license should include a condition that prohibits Kiosk from using the name NRG Kiosk in Kiosk's marketing or contract materials, or in Kiosk's communications with customers. Additionally, Kiosk is directed to provide marketing and training materials specific to its Maryland operations to the Commission Staff and Office of People's Counsel 30 days prior to commencing operations in Maryland. Finally, Staff recommends the Commission direct Kiosk to notify the Commission within 30 days of any changes to the information upon which the Commission relied in granting this license.



Kevin Mosier
Regulatory Analyst

cc: H. Robert Erwin, General Counsel
David J. Collins, Executive Secretary
Terry J. Romine, Chief Public Utility Law Judge
Obi Linton, Director, Office of External Relations
Regina Davis, Director of Communications



FILE



**Public Utilities
Commission**

John Kasich, Governor
Todd A. Snitchler, Chairman

Commissioners
Steven D. Lesser
Asim Z. Haque
Lynn Slaby
M. Beth Trombold

PUBLIC UTILITIES COMMISSION OF OHIO
Certified as a Competitive Retail Electric Service Provider

Certificate Number:
13-746E (1)

Issued Pursuant to Case Number(s):

13-1733-EL-AGG

A certificate as a Competitive Retail Electric Service Provider is hereby granted to, **NRG Kiosk LLC** whose office or principal place of business is located at **34 East Ohio Street, Suite 2008, Chicago, IL 60611** to provide **aggregation and power broker** services within the State of Ohio effective **October 20, 2013**.

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: **10/22/2013**

By Order of

PUBLIC UTILITIES COMMISSION OF OHIO

Barcy F. McNeal, Secretary
Betty McCauley, Acting Secretary
Tanowa M. Troupe, Acting Secretary

Certificate Expires: October 20, 2015

This is to certify that the above is an accurate and complete reproduction of a case file document delivered in the regular course of business
Technician AW Date Processed 10/22/13

CRES AUTOMATIC CASE ACTION FORM

Case No. **13-1733-EL-AGG**

Date Sent: **October 21, 2013**

Effective Date of Certificate: **October 20, 2013**

Certificate Expires: **October 20, 2015**

Company Name and Company Name d/b/a: **NRG Kiosk LLC**

Renewal

Action Needed:

Issue Certificate Number to: **NRG Kiosk LLC** at (address): **345 East Ohio Street, Suite 2008, Chicago, IL 60611**

Certified To Provide the Following Services:

- Retail Generation
- Aggregation
- Power Marketer
- Power Broker
- Governmental Aggregation

Renew Certificate No. to

Revise Certificate No. to (check all applicable):

Reflect name change from to

Reflect address change from to

Add new service offering to certificate:

- Retail Generation
- Aggregation
- Power Marketer
- Power Broker
- Governmental Aggregation

Correct Administrative Error

Reflect Change of Ownership to:

Cancel Certificate No.

Protect Un-redacted copies until

Close Case File, Case Withdrawn at Applicant's Request

Close Case File

CASE NUMBER: 13-1733-EL-AGG
CASE DESCRIPTION: NRG KIOSK
DATE OF SERVICE: 10/22/2013
DOCUMENT SIGNED ON: 10/22/2013

Sign Here: 

PARTY OF RECORD	APPLICANT	ATTORNEY
NRG KIOSK LLC HAMED ALBABAI (BABA) 345 EAST OHIO STREET SUITE 2008 CHICAGO,IL 60611 Phone:301-412-5780	NONE	

PARTY OF RECORD	ATTORNEY	ATTORNEY
none	*Babai, Hamed Mr. NRG Kiosk 345 East Ohio Street, Suit 2008 Chicago,IL 60606 Phone:(301)412-5780 Email:hbabai@datagearbox.com	