



December 16, 2019

A-2019-3014003

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

Re: Aggressive Energy, LLC's Natural Gas Supplier Application

Dear Ms. Chiavetta:

On December 2, 2019, Aggressive Energy, LLC received a notice that Aggressive Energy, LLC's natural gas supplier application was incomplete and additional information was required through various requests. Enclosed you will find the responses to these requests followed by a verification statement per 52 Pa Code § 1.36. An electronic copy of these responses has been sent to Jeff McCracken, Bureau of Technical Utility Services via e-mail.

Please allow all responses and revisions to the application to replace information contained in the original application submitted on November 5, 2019.

Information contained in the responses to Data Request 6, 7 and 9 (Tax Certification Statement) contain sensitive financial and proprietary information that constitutes trade secrets. Accordingly, Aggressive Energy, LLC submits one copy of all confidential information in a separate envelope attached to the application. Aggressive Energy, LLC also submits a public copy with confidential information redacted from the application.

A copy of the foregoing application and all non-confidential attachments have been sent to PECO, the Office of Consumer Advocate, Office of the Attorney General, Office of the Small Business Advocate, Commonwealth of Pennsylvania Department of Revenue, as well as the Pennsylvania Public Utility Commission.

Should you require additional information or have any questions, please contact me at the number below.

Regards,

A handwritten signature in black ink, appearing to read "Dan Messina", with a long, sweeping horizontal line extending to the right.

Dan Messina  
Vice President

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SECRETARY'S BUREAU



Docket No. A-2019-3014003  
Aggressive Energy, LLC  
Data Requests

1. Reference Application, Section 1.a, Identity of Applicant
  - Please refer to letter attached.
2. Reference Application, Section 1.b, Registered Agent
  - Please refer to revised application page attached.
3. Reference Application, Section 1.d, Attorney Contact
  - Please refer to revised application page attached.
4. Reference Application, Section 5.a, Criminal/Civil Proceedings
  - Please refer to revised application page attached.
5. Reference Application, Section 5.c, Customer/Regulatory/Prosecutory Actions
  - Please refer to revised application page attached.
6. Reference Application, Section 7.b, Financial Fitness
  - Please refer to the attached response, submitted confidentially.
7. Reference Application, Section 7.c, Supplier Funding Method
  - Please refer to the attached response, submitted confidentially.
8. Reference Application, Section 8.a, Technical Fitness
  - Please refer to the attached electric licenses and authorizations for Illinois, Maryland, and Ohio.
9. Reference Application, Section 11, Affidavits
  - Please refer to amended affidavits attached.

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December 16, 2019

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

Re: Aggressive Energy, LLC's Natural Gas Supplier Application – Reference  
Application, Section 1.a, Identity of Applicant

Dear Ms. Chiavetta:

In response to the Data Requests dated December 2, 2019, Aggressive Energy, LLC's application contained numerous typographical errors which incorrectly omitted a comma in Aggressive Energy, LLC's legal name as registered with the Pennsylvania Department of State. Please note that Aggressive Energy, LLC as registered with the Pennsylvania Department of State is registered as Aggressive Energy LLC in other states and jurisdiction. The names represent the same entity which files tax returns under one Employer Identification Number (EIN).

Please accept this letter as official confirmation that the correct name of the applicant is Aggressive Energy, LLC which is consistent with the filings at the Pennsylvania Department of State.

Should you require additional information or have any questions, please contact me at the number below.

Regards,

A handwritten signature in black ink, appearing to read "Dan Messina", with a long, wavy horizontal line extending to the right.

Dan Messina  
Vice President

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I, Dan Messina, 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).

Date: December 16, 2019

A handwritten signature in black ink, appearing to read "Dan Messina", is written over a horizontal line.

Dan Messina  
Vice President  
Aggressive Energy, LLC

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Docket No. A-2019-3014003  
Aggressive Energy, LLC  
Data Requests

Data Request #1-3

## BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Aggressive Energy, LLC, d/b/a Aggressive Energy, LLC, for approval to offer, render, furnish, or supply natural gas supply services as a supplier of natural gas services 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:

Aggressive Energy, LLC  
78 Rapelye St  
Brooklyn, NY 11231  
(888)-836-9222  
[www.AggressiveEnergy.com](http://www.AggressiveEnergy.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.

Capitol Corporate Services, Inc.  
125 Locust St  
Harrisburg, PA 17101  
Phone# (800)-345-4647

- 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.

Dan Messina, Vice President  
78 Rapelye St  
Brooklyn, NY 11231  
[dmessina@aggressiveny.com](mailto:dmessina@aggressiveny.com)  
Fax# (718)-643-6356  
Phone# (888)-836-9222

- 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.

Gregory Kusel  
Sidley Austin LLP  
(202)-736-8137  
[gkusel@sidley.com](mailto:gkusel@sidley.com)  
1501 K Street, N.W.  
Washington, DC 20005

- 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.

Dan Messina  
Vice President  
78 Rapelye St  
Brooklyn, NY 11231  
[dmessina@aggressiveny.com](mailto:dmessina@aggressiveny.com)  
Fax# (718)-643-6356  
Phone# (888)-836-9222

Michael Belmont  
Director of Operations  
78 Rapelye St  
Brooklyn, NY 11231  
[mbelmont@aggressiveny.com](mailto:mbelmont@aggressiveny.com)  
Fax# (718)-643-6356  
Phone# (888)-836-9222

Docket No. A-2019-3014003  
Aggressive Energy, LLC  
Data Requests

Data Request #4-5

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## 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.

None.

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

N/A

- c. **CUSTOMER/REGULATORY/PROSECUTORY ACTIONS:** Identify all formal or escalated actions or complaints filed with or by a customer, regulatory agency, or prosecutory agency against the Applicant, an affiliate, a predecessor of either, or a person identified in this Application, for the prior five (5) years, including but not limited to customers, Utility Commissions, and Consumer Protection Agencies such as the Offices of Attorney General. 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.

None.

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

N/A

## 6. PROOF OF SERVICE

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

Please refer to 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



Docket No. A-2019-3014003  
Aggressive Energy, LLC  
Data Requests

Data Request #6  
CONFIDENTIAL

Docket No. A-2019-3014003  
Aggressive Energy, LLC  
Data Requests

Data Request #7  
CONFIDENTIAL

Docket No. A-2019-3014003  
Aggressive Energy, LLC  
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Data Request #8

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**STATE OF ILLINOIS**  
**ILLINOIS COMMERCE COMMISSION**

<b>Aggressive Energy LLC</b>	:	
	:	
<b>Application for Certificate of Service</b>	:	<b>17-0322</b>
<b>Authority under Section 16-115 of the</b>	:	
<b>Public Utilities Act.</b>	:	

**AMENDATORY ORDER**

By the Commission:

On August 15, 2017, the Illinois Commerce Commission ("Commerce") granted Aggressive Energy LLC's ("Applicant") verified Application requesting a certificate of service authority to operate as an alternative retail electric supplier ("ARES") in Illinois pursuant to Section 16-115 of the Public Utilities Act ("Act"), 220 ILCS 5/1-101 *et seq.*, and 83 Ill. Adm. Code 451 ("Part 451"). The Commission's Order granted Applicant authority to provide service to all eligible residential and commercial retail customers, but Applicant seeks to serve only non-residential customers in Commonwealth Edison Company's service territory.

The Order incorrectly included references to Subpart D of Part 451, which is inapplicable to Applicant's requested certificate. Therefore, the fourth and fifth paragraphs in Section III.A. and the third paragraph of Section III.B. are deleted.

The Order also incorrectly identified Applicant's service authority. The Commission concludes, therefore, that Applicant's request for a certificate of service authority to operate as an ARES in Illinois should be amended and should grant the following authority:

**CERTIFICATE OF SERVICE AUTHORITY**

IT IS CERTIFIED that Aggressive Energy LLC is granted service authority to operate as an Alternative Retail Electric Supplier as follows:

SERVICES TO BE PROVIDED: The sale of electricity and power.

CUSTOMERS TO BE SERVED: All eligible non-residential retail customers.

GEOGRAPHIC REGION(S) SERVED: For the sale of electricity and power in the service area of Commonwealth Edison Company.

IT IS THEREFORE ORDERED by the Illinois Commerce Commission that Aggressive Energy LLC is hereby granted a Certificate of Service Authority as set forth in this Order.

IT IS THEREFORE ORDERED that the Order entered by the Commission on August 15, 2017 is amended by the above language as noted herein. In all other respects, the Order remains the same and in full force and effect.

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 8th day of November, 2017.

(SIGNED) BRIEN SHEAHAN

Chairman

COMMISSIONERS

W. KEVIN HUGHES  
CHAIRMAN

MICHAEL T. RICHARD  
ANTHONY J. O'DONNELL  
ODOGWU OBI LINTON  
MINDY L. HERMAN

STATE OF MARYLAND



PUBLIC SERVICE COMMISSION

#6, 1/31/18 AM; ML# 217274  
License Reference No.: IR-3975

January 31, 2018

Dan Messina  
Aggressive Energy, LLC  
78 Rapelye Street  
Brooklyn, NY 11231

Dear Mr. Messina:

On October 10, 2017, Aggressive Energy, LLC ("Company") filed an Application for a License to Supply Electricity or Electric Generation Services in Maryland under COMAR 20.51. The Company proposes to provide electricity supplier services in Maryland for commercial and industrial customers as described in the application.

After considering this matter at the January 31, 2018 Administrative Meeting, the Commission granted the Company a license to supply electricity or electric generation services in Maryland (License Reference Number IR-3975). The license granted by the Commission under this Letter Order is limited solely to electricity supplier services for the customer classes and service territories applied for and recommended by Staff.

Finally, the Company is reminded that it is under a continuing obligation to notify the Commission within 30 days of any changes to the information upon which the Commission relied in granting this license. A copy of the supplemental or updated information is required to be filed concurrently with the Office of People's Counsel.

By Direction of the Commission,

A handwritten signature in black ink, appearing to read "David J. Collins".

David J. Collins  
Executive Secretary

DJC/st

WILLIAM DONALD SCHAEFER TOWER • 6 ST. PAUL STREET • BALTIMORE, MARYLAND 21202-6806

410-767-8000

Toll Free: 1-800-492-0474

FAX: 410-333-6495

MDRS: 1-800-735-2258 (TTY/Voice)

Website: [www.psc.state.md.us/psc/](http://www.psc.state.md.us/psc/)



**Public Utilities  
Commission**

Asim Z. Haque, Chairman

Commissioners  
M. Beth Trombold  
Thomas W. Johnson  
Lawrence K. Friedman  
Daniel R. Conway

**PUBLIC UTILITIES COMMISSION OF OHIO**

*Certified as a Competitive Retail Electric Service Provider*

Certificate Number:

**19-1369E (1)**

Issued Pursuant to Case Number(s):

**19-0042-EL-CRS**

A certificate as a Competitive Retail Electric Service Provider is hereby granted to, **Aggressive Energy LLC** whose office or principal place of business is located at **78 Rapelye St, Brooklyn, NY 11231** to provide **power marketer** services within the State of Ohio effective **February 08, 2019**.

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: **February 14, 2019**

By Order of

PUBLIC UTILITIES COMMISSION OF OHIO

Tanowa M. Troupe, Acting Secretary  
Susan Patterson, Acting Secretary  
Beverly Hoskinson, Acting Secretary

Certificate Expires: **February 08, 2021**

Docket No. A-2019-3014003  
Aggressive Energy, LLC  
Data Requests

Data Request #9



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SECRETARY'S BUREAU

**Appendix A**

**APPLICATION AFFIDAVIT**

State of New York :

ss.

County of Kings :

Dan Messina, Affiant, being duly sworn according to law, deposes and says that:

He/she is the Vice President (Office of Affiant) of Aggressive Energy, LLC (Name of Applicant);

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

That the Applicant herein, Aggressive Energy, LLC, has the burden of producing information and supporting

documentation demonstrating its technical and financial fitness to be licensed as a natural gas supplier pursuant to 66 Pa. C.S. § 2208 (c)(1).

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

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

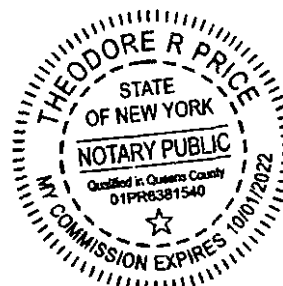
That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief, and that he/she expects said Applicant to be able to prove the same at hearing.

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

Sworn and subscribed before me this 16 day of December, 20 19.

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

My commission expires \_\_\_\_\_.



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SECRETARY'S BUREAU

**Appendix B**

**OPERATIONS AFFIDAVIT**

State of New York :

ss.

County of Kings :

Dan Messina, Affiant, being duly sworn according to law, deposes and says that:

He is the Vice President (Office of Affiant) of Aggressive Energy, LLC (Name of Applicant);

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

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

That Aggressive Energy, LLC, the Applicant herein, asserts that [he/she/it] possesses the requisite technical, managerial, and financial fitness to render natural gas supply service within the Commonwealth of Pennsylvania and that the Applicant will abide by all applicable federal and state laws and regulations and by the decisions of the Pennsylvania Public Utility Commission.

That Aggressive Energy, LLC, the Applicant herein, certifies to the Commission that it is subject to, will pay, and in the past has paid, the full amount of taxes imposed by Articles II and XI of the Act of March 4, 1971 (P.L. 6, No. 2), known as the Tax Reform Act of 1971 and any tax imposed by Chapter 22 of Title 66. The Applicant acknowledges that failure to pay such taxes or otherwise comply with the taxation requirements of Chapter 28 shall be cause for the Commission to revoke the license of the Applicant. The Applicant acknowledges that it shall report to the Commission its jurisdictional natural gas sales for ultimate consumption, for the previous year or as otherwise required by the Commission. The Applicant also acknowledges that it is subject to 66 Pa. C.S. §506 (relating to the inspection of facilities and records).

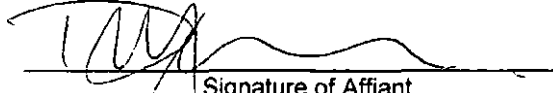
Applicant, by filing of this application waives confidentiality with respect to its state tax information in the possession of the Department of Revenue, regardless of the source of the information, and shall consent to the Department of Revenue providing that information to the Pennsylvania Public Utility Commission.

That Aggressive Energy, LLC, the Applicant herein, acknowledges that it has a statutory obligation to conform with 66 Pa. C.S. §506 and the standards and billing practices of 52 PA. Code Chapter 56.

That the Applicant agrees to provide all consumer education materials and information in a timely manner as requested by the Office of Communications or other Commission bureaus. Materials

and information requested may be analyzed by the Commission to meet obligations under applicable sections of the law.

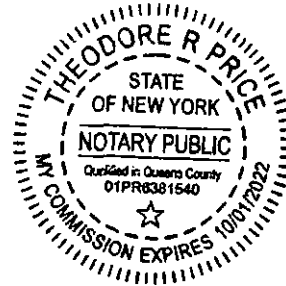
That the facts above set forth are true and correct/true and correct to the best of his/her knowledge, information, and belief.

  
Signature of Affiant

Sworn and subscribed before me this 16 day of December, 20 19.

  
Signature of official administering oath

My commission expires \_\_\_\_\_.



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## Appendix C

### CERTIFICATE OF SERVICE

On this the 16 day of December, 2014, I certify that a true and correct copy of the foregoing application form for licensing within the Commonwealth of Pennsylvania as a Natural Gas Supplier and all **NON-CONFIDENTIAL** attachments have been served, as either a hardcopy or a searchable PDF version on a cd-rom, upon the following:

PECO  
Carlos Thillet, Manager, Gas Supply and Transportation  
2301 Market Street, S9-2  
Philadelphia, PA 19103  
PH: 215.841.6452  
Email: [carlos.thillet@exeloncorp.com](mailto:carlos.thillet@exeloncorp.com)

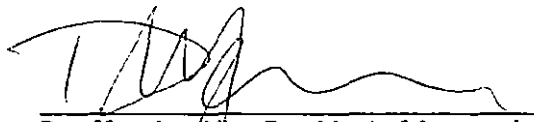
Office of Consumer Advocate  
5th Floor, Forum Place  
555 Walnut Street  
Harrisburg, PA 17120

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

Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2 West  
Harrisburg, PA 17120



**Dan Messina, Vice President of Aggressive Energy, LLC**

Docket No. A-2019-3014003  
Aggressive Energy, LLC  
Data Requests

Data Request #9  
Tax Certification Statement  
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ORIGIN ID: EGXA (718) 836-9222  
 MICHAEL CRANE  
 AGGRESSIVE ENERGY LLC  
 78 RAPELYE STREET

BROOKLYN, NY 11231  
 UNITED STATES US

SHIP DATE: 27DEC19  
 ACTWGT: 0.25 LB  
 CAD: 105443269/NET4160

BILL SENDER

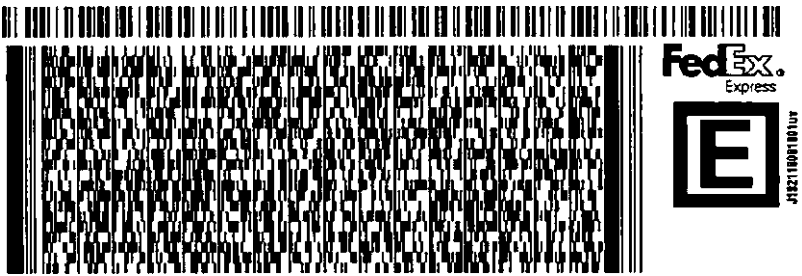
TO **ROSEMARY CHIAVETTA, SECRETARY**  
**PENNSYLVANIA PUBLIC UTILITY COMMISS**  
**COMMONWEALTH KEYSTONE BUILDING**  
**400 NORTH STREET**  
**HARRISBURG PA 17120**

(718) 836-9222  
 INV  
 PO

REF:

DEPT:

557.2/18DD05A2

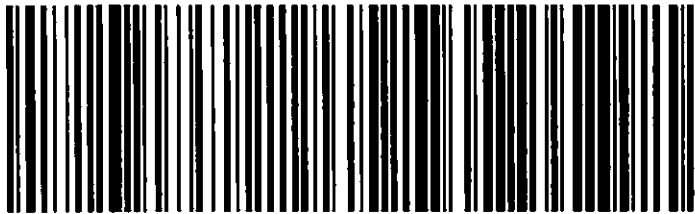


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 STANDARD OVERNIGHT

**SH MDTA**

17120  
 PA-US MDT



**After printing this label:**

1. Use the 'Print' button on this page to print your label to your laser or inkjet printer.
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Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on [fedex.com](http://fedex.com). FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1,000, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.