

James Koontz
President/Owner
6 Fairfield Ln
Simsbury, CT 06070
860-500-0693 (phone)

ALTERNATE
Suretha Koontz
Title- Owner
6 Fairfield Ln
Simsbury, CT 06070
860-798-9349 (phone)
860-371-3856 (fax)
surethakoontz@aadvantagepower.com

2. BUSINESS ENTITY FILINGS AND REGISTRATION

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

x 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.)

x 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)
- x** foreign limited liability company (15 Pa. C.S. §8981)
- ☐ Other (Describe):

- Provide the state in which the business is incorporated/organized/formed and provide a copy of the Applicant's charter documentation.

ENCLOSED

- o **CT charter documentation (11/9/2017)** (Attachment 1)
- o **2020 statement of good standing (2/28/2020)** (Attachment 2)
- o **PA Department of State Application for Foreign Corporation (DSCB 15-412)** (Attachment 3, 4)

- Give name and address of officers.

Incorporated in State of CT on 11/9/2017

Officers:

James Koontz (responsible for operations & technical)
Suretha Koontz (website design & administrative support)
6 Fairfield Lane, Simsbury CT 06070

3. **AFFILIATES AND PREDECESSORS**

- 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.

No affiliates, and none applying

- 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 have done business

4. **OPERATIONS**

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

x The Applicant is not presently doing business in Pennsylvania.

- b. **APPLICANT'S PROPOSED OPERATIONS:** The Applicant proposes to operate as a *(may check multiple)*:

- ☐ Generator of electricity
- ☐ Supplier of electricity
- ☐ Aggregator engaged in the business of supplying electricity
- ☒ Broker/Marketer engaged in the business of supplying electricity services
 - x Check here to verify that your organization will not be taking title to the electricity nor will you be making payments for customers.**
- ☐ Electric Cooperative and supplier of electric power
- ☐ Other (Describe):

- c. **PROPOSED SERVICES:** Describe in detail the electric services or the electric generation services which the Applicant proposes to offer.

Applying to be licensed broker/marketer. Will use our website where PA commercial/business customers can compare rates and apply for 3rd party supply agreements. As broker, we will assist customers in contracting with PA approved EGS.

Since Broker, at no time will we:

- take ownership of the electricity**
- bill the customers or take payments from customers**

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

☐ Citizens' Electric
☐ Duquesne Light
☐ Met-Ed
☐ PECO
☐ Penelec
☐ Penn Power

☐ Pike
☐ PPL
☐ UGI Utilities
☐ Wellsboro
☐ West Penn

x Entire Commonwealth of PA

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

☐ Residential Customers
x Small Commercial Customers - (25 kW and Under)
☐ Residential and Small Commercial as Mixed Meter ONLY (CANNOT BE TAKEN WITH RESIDENTIAL AND/OR SMALL COMMERCIAL ABOVE)
x Large Commercial Customers - (Over 25 kW)
x Industrial Customers
x 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.

Will commence after application/license accepted and approved by PA PUC.

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.

No criminal/civil proceedings

- 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, in the Commonwealth of Pennsylvania or any state, 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.

No actions or complaints

- 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**

Please see Attachment 5

7. **FINANCIAL FITNESS**

- a. **BONDING:** In accordance with 66 Pa. C.S. Section 2809(c)(1)(i), the Applicant is required to file a bond or other instrument to ensure its financial responsibilities and obligations as an EGS. Therefore, the Applicant is...

- ☐ Furnishing the **ORIGINAL** of an initial bond, letter of credit or proof of bonding to the Commission in the amount of \$250,000.
- ☐ Furnishing the **ORIGINAL** of another initial security for Commission approval, to ensure financial responsibility, such as a parental guarantee, in the amount of \$250,000.
- x **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.

Applying for Broker/Marketer license only. Applicant will not take title to the electricity and will not pay electric bills on behalf of customers.

Please see Attachment 6

- 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:

Two years of corporate tax returns are enclosed (Attachment 7)

- 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.

N/A- will be operating as Broker/Marketer only.

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

Aadvantage Power will be working as broker/marketer with PA licensed suppliers. Aadvantage Power will collect commissions (only) from the supplier after the supplier & end-user/customer directly contract between each other.

- **At no time does Aadvantage Power take ownership of the electricity**
- **At no time does Aadvantage Power bill the customer or collect monies from the customer**

- 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.

**Harper & Whitfield
Sandra Selig
883 Hopmeadow St
Simsbury, CT 06070
860-651-9303 (phone)
860-651-3992 (fax)
sselig@harperwhitfield.com**

- f. **TAXATION:** Complete the TAX CERTIFICATION STATEMENT attached as Appendix I 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.

Attachment 8

8. TECHNICAL FITNESS:

To ensure that the present quality and availability of service provided by electric utilities 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:**

Below & Attachment 9

Aadvantage Power was established in 11/2017. The business was structured, from inception, to be scalable for future growth. The commodity business is very data intense, so there has been heavy emphasis on building our step-by-step process. Our overall goal continues to be:

- Easy for customers to apply & contract
- High level of customer service with goal of superb client satisfaction
- Educate our customers so they can make the best procurement decision for their business

Aadvantage Power is a veteran-owned business, with over 25 years of experience.
Our mission is to help your business be more competitive by reducing the cost of energy.

OUR PROMISE:

Understand: your energy requirements to help you make informed decisions
Educate: you on your energy procurement options
Design: a tailored approach to help you achieve your energy goals
Monitor: energy market trends and pro-actively update you on future options
Serve: as your unbiased energy advisor

Aadvantage Power

Technical & Customer Service

Customer Service

- run sales desk & customer calls
- Q/A, education of customers
- review contracts prior to sending

Technical

- pricing & market analysis
- forward pricing strategies
- follow natural gas markets

Suppliers

- manage supplier relations
- contract Q/A

Administration

Customer Inquiries via website

- data entry
- prepare contracts & renewals
- forward signed agreements to suppliers

Website

- design & maintenance
- admin updates

CV-

James Koontz

<https://www.linkedin.com/in/jim-koontz-8923032b/>

Education: MBA, Rensselaer Polytechnic Institute
BS Mechanical Engineering, Norwich University

Affiliations: Certified M&V Professional, Association of Energy Engineers (AEE)
Northeast Clean Heat & Power Initiative (NECHPI), Board of Directors
CT Power & Energy Society, former Board Member

Speaking: Frequent speaker at Energy Conferences including:
NYSERDA (NY State Energy Research & Development Association)
NESEA (Northeast Sustainable Energy Association)
Eversource Energy- trained utility reps on Cogeneration Systems
UCONN Grid Modernization Workshop
Powergen, Globalcon, and more

Experience: 30+ years in the power & energy sector. Key experience relating to energy & commodity brokering, utility coordination, bill analysis & customer service includes:

Aadvantage Power- since 11/2018

- Currently 300+ customers with over 24,000 MW/hr currently under contract
- Commercial & municipal customers (manufacturing plants, small businesses, municipal, car dealerships, data centers, office spaces, house of worship)

Veolia Energy- 2008-2013

- Energy commodity broker for large Commercial & Municipal Customers
- Clients included City of Boston, Biogen, EMC, Jones Lang LaSalle
- State of CT Dept of Energy- custom build of energy database for all state buildings.
Project Manager for 3-year contract including software development, data entry & analytics

Kinsley Power- Sold power plants to commercial clients (2013-2017)

Duke Power- VP of 450 MW Power Plant (1999-2000)

Nalco Company- Consultant to power plants (1992-2008)
25 MW to 400 MW
Natural Gas, Oil, Solar, Trash Burners

U.S. Navy- Electrical Officer, Boilers Officer (1988-1992)

b. PROPOSED MARKETING METHOD (check all that apply)

- ☒ Internal – Applicant will use its own internal resources/employees for marketing
- ☐ External EGS – Applicant will contract with a PUC **LICENSED EGS** broker/marketer
- ☐ Affiliate – Applicant will use a **NON-EGS** affiliate marketing company and or individuals.
- ☐ External Third-Party – Applicant will contract with a **NON-EGS** third party marketing company and or individuals
- ☒ Other (Describe):

Marketing will be via company website. This allows potential customers to locate pricing options based on zip code query. If interested, they can apply on-line. As broker we will coordinate between customer and licensed EGS for their review/acceptance.

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

- ☐ Yes
- ☒ No

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.

We have a very transparent overview of the process included on our website. This includes industry terms & definitions, contracting process & renewal process.

Attachment 10

e. OFFICERS: Identify Applicant's chief officers, and include the professional resumes for any officers directly responsible for operations. All resumes should include date ranges and job descriptions containing actual work experience.

Provided in section 8a.

f. FERC FILING: Applicant has:

- ☐ Filed an Application with the Federal Energy Regulatory Commission to be a Power Marketer.
- ☐ Received approval from FERC to be a Power Marketer at Docket or Case Number _____.
- ☒ Not applicable

9. DISCLOSURE STATEMENTS:

Disclosure Statements: If proposing to serve Residential and/or Small Commercial (under 25 kW) Customers, provide a Residential and/or Small Commercial disclosure statement. A sample disclosure statement is provided as Appendix J to this Application.

Attachment 10

10. VERIFICATIONS, ACKNOWLEDGEMENTS, AND AGREEMENTS

- a. **PJM LOAD SERVING ENTITY REQUIREMENT:** As a prospective EGS, the applicant understands that those EGSs which provide retail electric supply service (i.e. takes title to electricity) must provide either:

- proof of registration as a PJM Load Serving Entity (LSE), or
- proof of a contractual arrangement with a registered PJM LSE that facilitates the retail electricity services of the EGS.

The Applicant understands that compliance with this requirement must be filed within 120 days of the Applicant receiving a license. As well, the Applicant understands that compliance with this requirement may be filed with this instant application.

(Select only one of the following)

- ☐ AGREED - Applicant has included compliance with this requirement in the instant application, labeled in correspondence with this section (10).
- ☐ AGREED - Applicant will provide compliance with this requirement within 120 days of receiving its license
- ☒ ACKNOWLEDGED - Applicant is not proposing to provide retail electric supply service at this time, and therefore is not presently obligated to provide such information

- b. **STANDARDS OF CONDUCT AND DISCLOSURE:** As a condition of receiving a license, Applicant agrees to conform to any Uniform Standards of Conduct and Disclosure as set forth by the Commission. Further, the Applicant agrees that it must comply with and ensure that its employees, agents, representatives, and independent contractors comply with the standards of conduct and disclosure set out in Commission regulations at 52 Pa. Code § 54.43, as well as any future amendments.

☒ AGREED

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

- Retail Electricity Choice Activity Reports: The regulations at 52 Pa. Code §§ 54.201--54.204 require that all active EGSs report sales activity information. An EGS will file an annual report reporting for customer groups defined by annual usage. Reports must be filed using the appropriate report form that may be obtained from the PUC's Secretary's Bureau or the forms officer, or may be down-loaded from the PUC's internet web site.

- Reports of Gross Receipts: Applicant shall report its Pennsylvania intrastate gross receipts to the Commission on a quarterly and year to date basis no later than 30 days following the end of the quarter.
- The Treasurer or other appropriate officer of Applicant shall transmit to the Department of Revenue by March 15, an annual report, and under oath or affirmation, of the amount of gross receipts received by Applicant during the prior calendar year.
- Net Metering Reports: Applicant shall be responsible to report any Net Metering per the Standards on http://www.puc.pa.gov/consumer_info/electricity/alternative_energy.aspx. Scroll down to the Net Metering Standards Section.
- Applicant shall report to the Commission the percentages of total electricity supplied by each fuel source on an annual basis per 52 Pa. Code § 54.39(d).
- Applicant will be required to meet periodic reporting requirements as may be issued by the Commission to fulfill the Commission's duty under Chapter 28 pertaining to reliability and to inform the Governor and Legislature of the progress of the transition to a fully competitive electric market.

X **AGREED.**

- d. TRANSFER OF LICENSE:** The Applicant understands that if it plans to transfer its license to another entity, it is required to request authority from the Commission for permission prior to transferring the license. See 66 Pa. C.S. Section 2809(D). Transferee will be required to file the appropriate licensing application.

X **AGREED**

- e. ANNUAL FEES:** The Public Utility Code authorizes the PUC to collect an annual fee of \$350 from suppliers, brokers, marketers, and aggregators selling electricity in the Commonwealth of PA, and an annual supplemental fee based on annual gross intrastate revenues, applicable to suppliers only.

X **AGREED**

- f. FURTHER DEVELOPMENTS:** Applicant is under a continuing obligation to amend its application if substantial changes occur to the information upon which the Commission relied in approving the original filing. See 52 Pa. Code § 54.34.

X **AGREED**

- g. FALSIFICATION:** The Applicant understands that the making of false statement(s) herein may be grounds for denying the Application or, if later discovered, for revoking any authority granted pursuant to the Application. This Application is subject to 18 Pa. C.S. §§4903 and 4904, relating to perjury and falsification in official matters.

X **AGREED**

- h. NOTIFICATION OF CHANGE:** If your answer to any of these items changes during the pendency of your application or if the information relative to any item herein changes while you are operating within the Commonwealth of Pennsylvania, you are under a duty to so inform the Commission, within twenty (20) days, as to the specifics of any changes which have a significant impact on the conduct of business in Pennsylvania. See 52 Pa. Code § 54.34.

X **AGREED**

- i. **CEASING OF OPERATIONS:** Applicant is also required to officially notify the Commission if it plans to cease doing business in Pennsylvania, 90 days prior to ceasing operations.

x **AGREED**

- j. **Electronic Data Interchange:** The Applicant acknowledges the Electronic Data Interchange (EDI) requirements and the relevant contacts for each EDC, as listed at Appendix M.

x **AGREED**

- k. **FILING FEE:** The Applicant has enclosed or paid the required, non-refundable filing fee by **CERTIFIED CHECK OR MONEY ORDER** in the amount of \$350.00 payable to the Commonwealth of Pennsylvania. The Commission does not accept corporate or personal checks for filing fees.

x **PAYMENT ENCLOSED**

11. AFFIDAVITS

Must be notarized before filing.

- a. **APPLICATION AFFIDAVIT:** Complete and submit with your filing an officially notarized Application Affidavit stating that all the information submitted in this application is truthful and correct. An example copy of this Affidavit can be found at Appendix A.

Attachment 11

- b. **OPERATIONS AFFIDAVIT:** Provide an officially notarized affidavit stating that you will adhere to the reliability protocols of the North American Electric Reliability Council, the appropriate regional reliability council(s), and the Commission, and that you agree to comply with the operational requirements of the control area(s) within which you provide retail service. An example copy of this Affidavit can be found at Appendix B.

Attachment 12

12. NEWSPAPER PUBLICATIONS

Attachment 13 (for all 7 newspapers required)

13. SIGNATURE

ADVANTAGE POWER, LLC

Applicant:

JAMES KOONTZ

By:

James Koontz

Title:

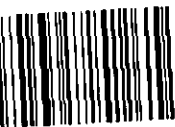
PRESIDENT / OWNER

PUC MASTER

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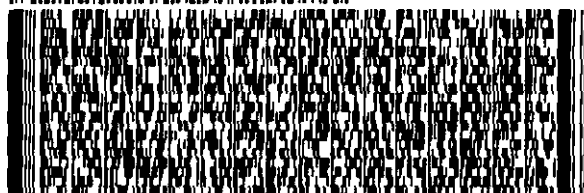
Part # 156287828/602/2020/USP 07/21

TO AMANDA EAGLE
PA PUBLIC UTILITY COMMISSION
400 NORTH ST
KEYSTONE BLDG 2FL
HARRISBURG PA 17120

(717) 436-9386

REF:

DEPT:



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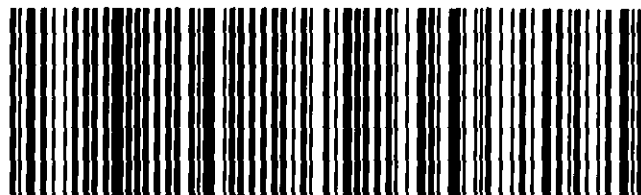
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PRIORITY OVERNIGHT

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PA-US MDT

EN MDTA



Advantage Power
6 FAIRFIELD LN
Simsbury, CT 06070
860-808-6383

Envelope

PA Public Utility
400 NORTH ST
KEYSTONE BLDG, 2ND FLR
HARRISBURG, PA 17120
ATTN: AMANDA EAGLE