

NuEnergen: Revision to PA Energy Broker Applications for EGS and NGS Marketer

Date: 5/3/2024

EGS Application - Docket # A- 2024 - 3047877

NGS Application - Docket # A- 2024 - 3047896

Pursuant to the deficiency letter received by NuEnergen on April 29, 2024 (letter dated April 25, 2024), NuEnergen has sought to address these requests for additional information in this document revision. The deficiency letter outlined the following Sections of the Applications as having insufficient data:

- Section 1.b. – Pennsylvania Registered Agent missing phone and fax numbers
- Section 1.c. – Address Missing Suite Number
- Section 3.a. – Information on NuEnergen affiliates.
- Section 6.a. – Missing Certificate of Service page, signed and dated
- Section 6.b. - Missing Certificate of Service page, signed and dated
- Section 7.f. – Missing Tax Certification Statement – this document was deemed confidential and thus sent in by overnight delivery via Fedex on 4/30/2024. This document is NOT included in the sections below
- Section 8.a. – Missing broker License confirmations for other states that NuEnergen has stated.
- Section 8.e. – Missing professional resumes for the Officers of the Company.

PAPUC Issued Deficiency Letters for EGS
and NGS applications



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

April 25, 2024

Docket No. A-2024-3047877
Utility Code: 1127007

CERTIFIED

SUDHIR SARMA GM
NUENERGEN LLC
10 BANK ST STE 600
WHITE PLAINS NY 10606

RE: Electric Generation Supplier License Application

Dear Mr. Sarma:

On April 12, 2024, the Pennsylvania Public Utility Commission (Commission) received NuEnergen, LLC's updated application for an Electric Generation Supplier (EGS) license.

Sections 1.b, 1.c, 3.a, 6.a, 6.b, 7.f, 8.a, and 8.e of the application were incomplete or not properly completed (ex. 1.c missing the suite number, 6.a and 6.b Certificate of Service was not signed and dated, and 8.a missing the licenses to operate in the electric and natural gas industries in other states). In order for the Commission to accept the application for review, these deficiencies must be corrected. Failure to respond timely will result in the application being deemed rejected¹ and the docket will be closed.

Please use the Commission's efilng system or an overnight delivery service to submit the requested information to the Secretary of the Commission **within 20 days** from the date of this letter. Please submit revised application pages for each section. The Commission accepts all public documents through our efilng system and strongly recommends companies open an efilng account through the Commission's website at <https://efiling.puc.pa.gov>. Use of the efilng system will ensure that submissions by the company are received timely and receipt can be verified.

If your filing contains confidential material, you are required to either file by overnight delivery or submit to the Secretary's SharePoint File system to ensure the timely filing of your submission. Filers should contact the Secretary's Bureau in advance to gain access to the SharePoint File system. Make sure to reference the Docket Number listed above and mark the materials "CONFIDENTIAL" in bold or highlighted manner if any of the requested information

¹ See Pa. Code 52 § 54.32(e)

is deemed to be of a confidential nature. Please note, financial securities must be sent by overnight delivery.

The overnight address for hard-copy or confidential responses is:

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

Please note that all documents requiring notary stamps must have original signatures.

If NuEnergen, LLC decides to withdraw its application, please reply notifying the Commission of such a decision.

Finally, if any problems arise that prevent a full timely response or if any clarification of this letter is required, please contact Jeff McCracken of the Commission's Bureau of Technical Utility Services via e-mail at jmccracken@pa.gov (preferred) or (717) 783-6163.

Sincerely,

A handwritten signature in cursive script that reads "Rosemary Chiavetta".

Rosemary Chiavetta
Secretary



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET
HARRISBURG, PENNSYLVANIA 17120
April 25, 2024

Docket No. A-2024-3047896
Utility Code: 1227008

CERTIFIED

SUDHIR SARMA GM
NUENERGEN LLC
10 BANK ST STE 600
WHITE PLAINS NY 10606

RE: Natural Gas Supplier License Application

Dear Mr. Sarma:

On April 12, 2024, the Pennsylvania Public Utility Commission (Commission) received NuEnergex, LLC's updated application for a Natural Gas Supplier (NGS) license.

Sections 1.b, 1.c, 3.a, 6.a, 6.b, 7.f, 8.a, and 8.e of the application were incomplete or not properly completed (ex. 1.c missing the suite number, 6.a and 6.b Certificate of Service was not signed and dated, and 8.a missing the licenses to operate in the electric and natural gas industries in other states). In order for the Commission to accept the application for review, these deficiencies must be corrected. Failure to respond timely will result in the application being deemed rejected¹ and the docket will be closed.

Please use the Commission's efilings system or an overnight delivery service to submit the requested information to the Secretary of the Commission **within 20 days** from the date of this letter. Please submit revised application pages for each section. The Commission accepts all public documents through our efilings system and **strongly** recommends companies open an efilings account through the Commission's website at <https://efiling.puc.pa.gov>. Use of the efilings system will ensure that submissions by the company are received timely and receipt can be verified.

If your filing contains confidential material, you are required to either file by overnight delivery or submit to the Secretary's Share Point File system to ensure the timely filing of your submission. Filers should contact the Secretary's Bureau in advance to gain access to the Share Point File system. Make sure to reference the Docket Number listed above and mark the materials "CONFIDENTIAL" in bold or highlighted manner if any of the requested information is deemed to be of a confidential nature.

¹ See Pa. Code 52 § 62.103(d)

The overnight address for hard-copy or confidential responses is:

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

Please note that all documents requiring notary stamps must have original signatures.

If NuEnergen, LLC decides to withdraw its application, please reply notifying the Commission of such a decision.

Finally, if any problems arise that prevent a full timely response or if any clarification of this letter is required, please contact Jeff McCracken of the Commission's Bureau of Technical Utility Services via e-mail at jmccracken@pa.gov (preferred) or (717) 783-6163.

Sincerely,

A handwritten signature in black ink, appearing to read "Rosemary Chiavetta". The signature is written in a cursive style with a large initial "R".

Rosemary Chiavetta
Secretary

Section 1.b. – Pennsylvania Registered
Agent phone and fax numbers
Section 1.c. – Mailing Address

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:

NuEnergen, LLC

Primary Address: 10 Bank Street, Suite 600, White Plains, NY 10606-1957

Web Address: <https://www.nuenergen.com/>

Phone: 866-977-0901

- 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.

NuEnergen, LLC

874 Slate Hill Road,

Morrisville, PA 19067 – 1853

Phone: (866)-977-0901

Fax: 914-358-1102

- 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 and future inquiries should be addressed.

NOTE: To ensure timely receipt of regulatory information, a contact employed directly by the Applicant, and not a consultant, is preferred.

Sudhir Sarma

General Manager – Sourcing and Auditing

10 Bank Street, Suite 600, White Plains, NY 10606-1957

Phone: 866-977-0901 x812

Fax: 914-358-1102

Email: auditing@nuenergen.com

ssarma@nuenergen.com

Section 3.a. – Information on NuEnergen affiliates

2. AFFILIATES AND PREDECESSORS

(both in state and out of state)

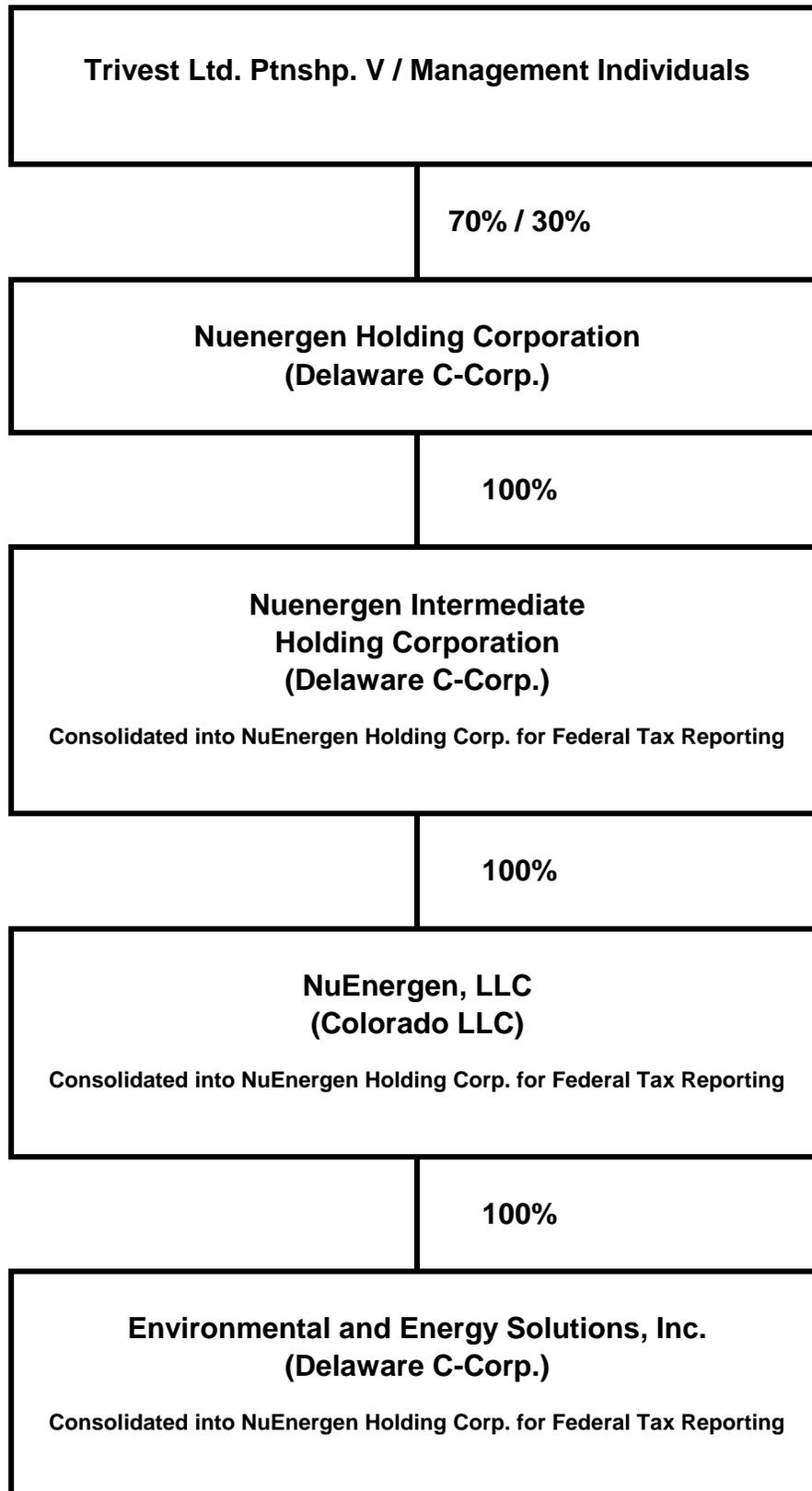
- a. **AFFILIATES:** Give name and address of any affiliates currently doing business and state whether the affiliates are jurisdictional public utilities. If the Applicant does not have any affiliates doing business, explicitly state so. Also, state whether the applicant has any affiliates that are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

NuEnergen parent companies include NuEnergen Holding Corporation and NuEnergen Intermediate Holding Corporation. Parent companies do not currently conduct any business in Pennsylvania.

NuEnergen has one affiliate, **Environmental and Energy Services, Inc.**. This affiliate does not do business in Pennsylvania, nor are they applying to do business in Pennsylvania. NuEnergen does not have affiliates that are jurisdictional public utilities.

Please see the attached Corporate Organizational Chart below.

**NUENERGEN CORPORATE ORGANIZATIONAL CHART
AS OF MAY 31, 2023**



Section 6.a., Section 6.b. –
Certificate of Service page, signed and
dated

Appendix C

Required of ALL Applicants regardless of operating as a supplier, broker, marketer, or aggregator.

Example CERTIFICATE OF SERVICE

On this the 30 day of April 2024, I certify that a true and correct copy of the foregoing application form for licensing within the Commonwealth of Pennsylvania as an Electric Generation Supplier and all **NON-CONFIDENTIAL** attachments have been served, as either a hardcopy or a searchable PDF version on a cd-rom or a USB flash drive, upon the following:

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

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

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

Department of Revenue
Bureau of Compliance
PO Box 281230
Harrisburg, PA 17128-1230

Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101

Vice President – Energy Supply
Corning Natural Gas Holding Corporation
330 West William Street
Corning, NY 14830

Legal Department
West Penn Power d/b/a Allegheny Power
800 Cabin Hill Drive
Greensburg, PA 15601-1689

Manager Energy Acquisition
PECO Energy Company
2301 Market Street
Philadelphia, PA 19101-8699

Regulatory Affairs
Duquesne Light Company
411 Seventh Street, MD 16-4
Pittsburgh, PA 15219

Office of General Counsel
Attn: Kimberly A. Klock
PPL
Two North Ninth Street (GENTW3)
Allentown, PA 18101-1179

Legal Department
First Energy
2800 Pottsville Pike
Reading PA, 19612

UGI Utilities, Inc.
Attn: Rates Dept. – Choice Coordinator
1 UGI Drive
Denver, PA 17517

Citizens' Electric Company
Attn: EGS Coordination
1775 Industrial Boulevard
Lewisburg, PA 17837

Wellsboro Electric Company
Attn: EGS Coordination
33 Austin Street
P. O. Box 138
Wellsboro, PA 16901



Kevin Hamilton, President & CEO, NuEnergen, LLC

Appendix C

Required of ALL Applicants regardless of operating as a supplier, broker, marketer, or aggregator.

CERTIFICATE OF SERVICE TEMPLATE

On this the 30 day of April 2024 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 or a USB flash drive, upon the following:

Office of Consumer Advocate

5th Floor, Forum Place
555 Walnut Street
Harrisburg, PA 17120

Office of Small Business Advocate

Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101

**Pennsylvania Public Utility Commission
Bureau of Investigation & Enforcement**

Commonwealth Keystone Building
400 North Street, 2 West
Harrisburg, PA 17120

National Fuel Gas Distribution Corp.

Daniel Czechowicz, Director – Gas Supply Administration
6363 Main Street
Williamsville, NY 14221
PH: 716.857.6917
e-mail: czechowiczd@natfuel.com

**Peoples Natural Gas Company LLC - Peoples Natural Gas
Division**

Carol Scanlon
375 North Shore Drive
Pittsburgh, PA 15212
PH: 412.208.6931
e-mail: Carol.Scanlon@peoples-gas.com

Philadelphia Gas Works

Ryan Reeves, Director Supply Transportation & Control
800 West Montgomery Avenue
Philadelphia, PA 19122
PH: 215.787.5103
email: pgwchoicesupply@pgworks.com

Valley Energy Inc.

Ed Rogers
523 South Keystone Avenue
Sayre, PA 18840-0340
PH: 570.888-9664
email: erogers@ctenterprises.org

**Office of the Attorney General
Bureau of Consumer Protection**

Strawberry Square, 14th Floor
Harrisburg, PA 17120

**Department of Revenue
Bureau of Compliance**

PO Box 281230
Harrisburg, PA 17128-1230

Columbia Gas of PA, Inc.

Transport Support Services
290 W. Nationwide Blvd.
Columbus, OH 43215
PH: 614.460.4980
e-mail: transportevaluations@nisource.com

PECO

Suzette Adams, Sr. Manager, Gas Supply and
Transportation
2301 Market Street, S-18
Philadelphia, PA 19103
PH: 215.841.6467
Email: Suzette.Adams@exeloncorp.com

**Peoples Natural Gas Company LLC - Peoples Gas
Division**

Carol Scanlon
375 North Shore Drive
Pittsburgh, PA 15212
PH: 412.208.6931
e-mail: Carol.Scanlon@peoples-gas.com

UGI Utilities, Inc. – Gas Division

Sherry Epler
1 UGI Drive
Denver, PA 17517
PH: 610.796.3447
Email: sepler@ugi.com


Kevin Hamilton, President & CEO NuEnergy, LLC

**Section 8.a. – Broker License confirmations
for New Jersey and Connecticut**



PHIL MURPHY
GOVERNOR

SHEILA OLIVER
LT. GOVERNOR

State of New Jersey
BOARD OF PUBLIC UTILITIES
44 South Clinton Avenue
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/
(609)777-3300

Joseph L. Fiordaliso
President

Mary-Anna Holden
Commissioner

Dr. Zenon Christodoulou
Commissioner

Christine Guhl-Sadovy
Commissioner

Marian Abdou
Commissioner

June 29, 2023

Anthony Nole, COO
NuEnergen LLC
10 Bank Street, Suite 600
White Plains, NY 10606

Re: **Energy Agent Initial Registration**
Dkt. No. EE23040238L

Dear Anthony Nole:

In accordance with the Electric Discount and Energy Competition Act of 1999, N.J.S.A. 48:3-49 et seq., at its June 29, 2023 Agenda meeting, the New Jersey Board of Public Utilities ("Board") voted to issue an Energy Agent Registration to NuEnergen LLC. The company's registration number is EA-0712. Pursuant to N.J.A.C. 14:4-5.8, this registration shall not expire so long as a registration renewal fee accompanied by an annual information update form is submitted to the Board within 30 days prior to the annual **anniversary date of June 29th**.

This registration is effective June 29, 2023. This registration and the rights thereunder are **Non-Transferable**.

This letter is not an endorsement of, nor is it intended for use in, the marketing promotions of the registrant. Registrants shall comply with all applicable law, including the Electric Discount and Energy Competition Act, which prohibits the unauthorized change of a customer's energy provider and other fraudulent and illegal marketing activities.

If you have any questions, please contact Sandra Perez at (609) 913-6297.

Sincerely,

Sherri L. Golden

Sherri L. Golden
Secretary of the Board

SLG/sgp



STATE OF CONNECTICUT

PUBLIC UTILITIES REGULATORY AUTHORITY
TEN FRANKLIN SQUARE
NEW BRITAIN, CT 06051

- DOCKET NO. 23-05-05 APPLICATION OF ZENTILITY, INC. FOR
A CONNECTICUT ELECTRIC
AGGREGATOR CERTIFICATE OF
REGISTRATION
- DOCKET NO. 23-05-28 APPLICATION OF YARDI SYSTEMS,
INC. FOR A CONNECTICUT ELECTRIC
AGGREGATOR CERTIFICATE OF
REGISTRATION
- DOCKET NO. 23-05-49 APPLICATION OF PREMIERE ENERGY
GROUP, LLC FOR A CONNECTICUT
ELECTRIC AGGREGATOR
CERTIFICATE OF REGISTRATION
- DOCKET NO. 23-05-57 APPLICATION OF SIEMENS
INDUSTRY, INC. FOR A CONNECTICUT
ELECTRIC AGGREGATOR
CERTIFICATE OF REGISTRATION
- DOCKET NO. 23-05-63 APPLICATION OF ENERCONNEX, LLC
FOR A CONNECTICUT ELECTRIC
AGGREGATOR CERTIFICATE OF
REGISTRATION
- DOCKET NO. 23-05-66 APPLICATION OF ENERGY
CX, LLC FOR A CONNECTICUT
ELECTRIC AGGREGATOR
CERTIFICATE OF REGISTRATION
- DOCKET NO. 23-05-68 APPLICATION OF EDISON ENERGY,
LLC FOR A CONNECTICUT ELECTRIC
AGGREGATOR CERTIFICATE OF
REGISTRATION
- DOCKET NO. 23-05-73 APPLICATION OF PROGRESSIVE
ENERGY CONSULTANTS, LLC FOR A

**CONNECTICUT ELECTRIC
AGGREGATOR CERTIFICATE OF
REGISTRATION**

- DOCKET NO. 23-05-86** **APPLICATION OF DYNAMIS ENERGY,
LLC DBA UNITED ENERGY SERVICES
CONNECTICUT ELECTRIC
AGGREGATOR CERTIFICATE OF
REGISTRATION**
- DOCKET NO. 23-05-88** **APPLICATION OF F&D PARTNERS,
INC, FOR A CONNECTICUT ELECTRIC
AGGREGATOR CERTIFICATE OF
REGISTRATION**
- DOCKET NO. 23-06-29** **APPLICATION OF PRIORITY POWER
MANAGEMENT, LLC FOR A
CONNECTICUT ELECTRIC
AGGREGATOR CERTIFICATE OF
REGISTRATION**
- DOCKET NO. 23-06-39** **APPLICATION OF NUENERGEN, LLC
FOR A CONNECTICUT ELECTRIC
AGGREGATOR CERTIFICATE OF
REGISTRATION**

August 9, 2023

By the following Commissioners:

Marissa P. Gillett
John W. Betkoski, III
Michael A. Caron

DECISION

DECISION

In the months of May and June, 2023, the following applicants (Applicants) applied to the Public Utilities Regulatory Authority (Authority) for an Electric Aggregator Certificate of Registration: Zentility, Inc.; Yardi Systems, Inc.; Premiere Energy Group, LLC; Siemens Industry, Inc.; EnerConnex, LLC; Energy CX, LLC; Edison Energy, LLC; Progressive Energy Consultants, LLC; Dynamis Energy, LLC dba United Energy Services; F&D Partners, Inc.; Priority Power Management, LLC; and NuEnergen, LLC. The Authority, including its Office of Education, Outreach, and Enforcement (EOE), reviewed all of the information in the record of the above-referenced dockets pursuant to Conn. Gen. Stat. § 16-245(l) and finds that the Applicants have satisfied the application requirements. The Authority grants each of the Applicants an Electric Aggregator Certificate of Registration to serve the non-residential markets requested by each Applicant, subject to the conditions described herein.

Pursuant to statute and the Authority's clarification in the March 30, 2023, Motion No. 16 Ruling (Motion No. 16 Ruling) in Docket No. 14-07-20RE01, PURA Development and Implementation of Marketing Standards and Sales Practices by Electric Suppliers - Revised Standards, an entity that represents the customer in securing a supplier contract and is ultimately compensated by the customer with the customer's knowledge is an aggregator. An aggregator is the customer's agent. If an entity represents the supplier in the transaction, then the entity is the agent of the supplier and the supplier must claim the entity on its Form 6. See Conn. Agencies Reg. § 16-245o(h)(1).¹ No entity may be both an aggregator and an agent of suppliers.²

A review of the contracts between each Applicant and suppliers reveals that many of the contracts do not clearly delineate the Applicant as representing the customer and being compensated ultimately by the customer.³ As EOE noted in Motion No. 16 in Docket No. 14-07-20RE01, there may be instances in which non-residential customers wish to receive one bill for all of their energy supply services. In those instances, it benefits the non-residential customer for the supplier to include the aggregator's compensation in that bill and pass that compensation straight to the aggregator. Not all supplier contracts provided by the Applicants, however, contain straight pass-through provisions. Many contain provisions in which a portion of the aggregator's mark-up goes to the supplier. Others contain provisions in which the supplier pays the aggregator a flat fee for each customer procured, in the same way a supplier would pay an agent. Still others contain provisions in which the supplier pays the aggregator an amount up front,

¹ Conn. Agencies Reg. § 16-245o(h)(1) provides in part that "[a]ny third-party who contracts with or is otherwise compensated by an electric supplier to sell electric generation services, or contracts with or is compensated by a third-party marketer of the electric supplier to sell electric generation services for the electric supplier, shall be a legal agent of the electric supplier."

² In its response to Interrogatory EOE-17, Dynamis Energy, LLC explained that its business offers various marketing and other services that have not been engaged to date or were engaged in the past but are not currently used. Dynamis may not allow suppliers to use any of these services in the future. Such use would create a conflict between Dynamis' role as the customer's agent and its role as a supplier's agent and would result in penalties and/or revocation of its aggregator's certificate. If Dynamis prefers to operate as a marketer for suppliers, it may relinquish its aggregator certificate in the future.

³ Siemens Industry, Inc. indicated that it does not have contracts with suppliers. To the extent that Siemens enters into contracts with suppliers in the future, its contracts must abide by this Decision.

includes the aggregator's mark-up in the customer's rate, and then the supplier retains any excess, or that do not remove the mark-up if the customer ceases doing business with the aggregator. Any compensation structure in which the supplier is retaining a portion of the aggregator's compensation or paying the aggregator separate from the customer's usage calls into question the relationship between the supplier and the aggregator, and between the aggregator and the customer.

A straight pass-through is a simple concept as explained by EOE in Motion No. 16 in Docket No. 14-07-20RE01. If the supplier's rate is 10 cents/kWh, and the aggregator adds 1 cent as commission, the supplier charges the customer 11 cents/kWh and passes through the extra 1 cent/kWh to the aggregator. Any agreement more complicated than this is not a straight pass through and will not be approved by the Authority. As a result, the Authority directs all Applicants to revise all contracts with suppliers that currently do not contain simple, straightforward, pass-through compensation as described and submit such revised contracts to the Authority. Any other form of compensation passed from a supplier to an aggregator is impermissible.

Further, many of the current contracts between suppliers and the Applicants contain other provisions that call into question the Applicant's role as the customer's agent and not the agent of the supplier. For example, there are contractual provisions specifically stating that the supplier appoints the Applicant as a "sales representative...to promote, market, and sell" the supplier's product. Entities that represent a customer do not promote, market, or sell for suppliers. Contracts say that the Applicant agrees to "solicit potential customers." Again, entities that represent a customer are not permitted to solicit on behalf of a supplier. Contracts say that Applicants will use the supplier's marketing material; however, the Applicants should not be marketing for the suppliers at all. In short, all contracts between the Applicants and suppliers should address only the Applicant's ability to collect the straight pass-through compensation from the supplier. Any contract with provisions implying or calling into question the Applicant's role and function as the customer's agent must be revised to remove such provisions as a condition of receipt of an Electric Aggregator Certificate of Registration.

Importantly, suppliers may not insert a provision in a contract stating that the Applicant is not the supplier's agent, then have provisions throughout the contract in which the Applicant is treated as a supplier's agent. Suppliers and the Applicants must decide if the Applicants are suppliers' agents or if the Applicants represent customers. To the extent they determine the latter, their contracts must reflect that relationship. Equally important, Applicants must ensure that their customers understand the service they are performing and the costs for that service. Many Applicants indicated that they do not divulge their commission to their customers. The regulatory imperative in Connecticut supports the principle of transparency, such that customers are entitled to information adequately informing them that they are paying the Applicant for a service and that such payment is included in their supplier's rate. Many Applicants also indicate that they do not divulge to customers the number of suppliers with which they do business. To make an informed decision, customers need to understand if an Applicant is evaluating bids from five suppliers or two. Customers further need to understand how the Applicant is selecting the bids to show to the customer (presuming it does not show the customer all bids).

To facilitate the requisite transparency with customers, every Applicant must provide each customer with three documents (Three Customer Communications).⁴ The Applicant must provide the first document at the outset of the relationship between the Applicant and the customer, and the document must:⁵

1. Describe in detail how the Applicant will be compensated;
2. Explain the process that the Applicant uses to find prospective rates for the customer;
3. Explain to the customer the number of suppliers (or range of number) from which the Applicant will solicit rates and the current suppliers from whom it solicits;⁶ and
4. Require the customer's signature to permit the Applicant to obtain pricing for the customer.

The Applicant must provide the second document to the customer once the Applicant has obtained prospective rates, and the document must:

1. Tell the customer each supplier from whom the Applicant solicited prospective rates;
2. Tell the customer the rates offered by each supplier;
3. Describe the Applicant's commission included in each rate;⁷ and
4. Require the customer's signature acknowledging receipt of said information.

The third document is the notice required by Conn. Agencies Regs. § 16-245-3(d),⁸ and the Applicant would provide this notice to the customer after the customer contracted

⁴ The documents referred to in this section may be electronic documents.

⁵ Based on the content of this document and its timing, it is difficult to imagine the situation in which an Applicant may satisfy this requirement when "cold calling" potential customers. A "cold call" would have to result in a multi-step process in which the Applicant interacted with the customer, provided the document, obtained the customer's signature, and then solicited bids for the customer.

⁶ A few Applicants entered into contracts with customers that provided much of this information. If any Applicant believes its current customer contract complies with the requirements herein, it may continue to use its contract following the compliance filings addressed in Order No. 6 of this Decision.

⁷ For example, if the aggregator provides rates from Supplier A and Supplier B, but the aggregator's commission with Supplier A is one cent and with Supplier B is two cents, this must be explained to the customer. This information can be included as part of the bid package given to the customer and may include the Applicant's recommendation. If the Applicant directly charges the customer a flat fee (i.e., does not collect a fee through the supplier) and does not include a commission and/or mark-up to the suppliers' rates, it may include only the supplier's rates, but the Applicant would be required to disclose the flat fee in the first document. To address changes in the market, an Applicant may seek to adjust their fee after the second of the Three Customer Communications have been supplied to the customer. An Applicant may only reduce their fee to address market conditions without additional notification to the customer. If an Applicant seeks to increase their fees to address market conditions, the increased fee must be disclosed in an updated/new offer to the customer.

⁸ Conn. Agencies Reg. § 16-245-3(d) provides in part that "[n]ot more than sixty days (60) after an aggregated customer contracts with an electric supplier, and not more than sixty days after any renewal, extension or modification of such contract, the electric aggregator shall issue to the aggregated customer a notice containing the following information: (1) The name, address and toll-free customer service telephone number of the electric supplier that provides electric generation services under its aggregation

with a supplier. Each Applicant shall retain the Three Customer Communications for three years from the date on which they are signed by the customer, as applicable.

All Applicants must solicit prospective rates for each customer from more than one supplier, except in the following two limited circumstances:

1. when an existing customer explicitly requests that an Applicant only provide pricing from a single supplier, and
2. when the pricing being sought is to amend and/or extend an existing agreement between the customer and a particular supplier.

Apart from these two exceptions, an entity that fails to solicit rate offers from more than one supplier and enrolls customers with that supplier will be deemed an agent of that supplier and subject to all applicable requirements for supplier agents.

Some Applicants indicated outside entities make sales on their behalf. Anyone making sales on behalf of the Applicant, anyone facilitating customers contracting with a supplier on behalf of the Applicant, anyone whom the Applicant compensates or to whom it provides a commission for facilitating customers contracting with a supplier, and anyone with whom the Applicant has an agreement (labeled as an Independent Contractor, broker, channel partner, or any other title) to facilitate customers contracting with a supplier is an agent of the Applicant for whom the Applicant is responsible. The above list is not comprehensive, and all Applicants shall read it with the understanding of the Authority's Motion No. 16 Ruling: there are only three legal entities operating in the supplier market in Connecticut (i.e., suppliers, aggregators, and their agents) and no other entity may operate in the market. If Applicants have agreements with any entities such as those listed above in which the agreement indicates that the entity is not the Applicant's agent, the Applicant must revise or amend such agreements to reflect an agency relationship. Further, Applicants must understand their legal responsibilities for anyone acting as their agent and interacting with customers, and must train and monitor all agents to ensure compliance with Conn. Gen. Stat. § 16-245o and other applicable law, regulations, Authority decisions, orders, and rulings. All Applicants shall annually file in their licensing docket a list of all agents working on their behalf (Third-Party Agent form).⁹

Certain Applicants requested to serve residential markets. All requests to serve residential markets are currently denied. No Applicant provided sufficient information to assure the Authority that residential customers would be properly served. As a result, the Authority determines that no Applicant has met the burden of demonstrating it is capable of serving as an aggregator in the residential market and/or working with residential customers. The Authority is permitting the Applicants to serve other customer classes based on the information provided because the Authority currently understands that non-residential customers are more sophisticated market participants with business acumen,

offer; and (2) The rate for electric generation services stated in its aggregation offer, or a description of how electric generation services are charged to customers under its aggregation offer."

⁹ The Third Party Agent form is available on the Authority's website at: [Information for Electric Suppliers](#) at the Aggregator Agent Form link.

procurement strategies, and needs, in addition to the procurement of supply.¹⁰ Further, non-residential customers frequently do not have the freedom to move from supplier to supplier at will and without penalty;¹¹ as a result, shopping amongst several rates and finding the best one at the time of the contract becomes more imperative for non-residential customers.

As part of the application process, EOE reviewed the financial information supplied by each Applicant. Although aggregators have less financial exposure than suppliers since aggregators do not have renewable portfolio standards and other obligations resulting from the supply of energy, aggregators still are liable for their actions and must demonstrate sufficient financial capability to serve customers, and further must satisfy any penalties if found violating the law.

Applicants must recognize that in being granted an Electric Aggregator Certificate of Registration, they are entering a highly regulated and transparent market. As such, they must ensure that their business complies with all applicable laws, including statutes, regulations, and Authority decisions, orders, and rulings. The Applicants must accept the responsibility of ensuring they maintain knowledge of the legal framework under which they function in Connecticut. Equally as important, the Applicants must recognize that they solely represent customers in this process and have the responsibility of acting as the customer's agent and working in the customer's best interest. Conn. Gen. Stat. § 16-245o places many obligations and restrictions on aggregators' engagement with customers, and additionally prohibits deceptive marketing and makes any violation thereof a violation of the Connecticut Unfair Trade Practices Act. Applicants must familiarize themselves with the Authority's application of Conn. Gen. Stat. § 16-245o to aggregators and suppliers. Any Applicant found deviating from its legal responsibilities and obligations may be subject to prosecution under Conn. Gen. Stat. § 16-41.

Each Applicant named herein is granted an Electric Aggregator Certificate of Registration to serve all customer classes requested other than residential customers; however, all Applicants shall follow all orders contained herein before they are allowed to conduct business as an aggregator in Connecticut.

ORDERS FOR APPLICANTS

For Orders requiring a filing, each Applicant shall file an electronic version through the Authority's website at www.ct.gov/pura. Submissions filed in compliance with the Authority's Orders must be identified by: Docket Number, Title, and Order Number. Compliance with orders shall commence and continue as indicated in each specific Order or until an Applicant requests and the Authority approves that an Applicant's compliance

¹⁰ Many Applicants described other services offered to commercial, industrial, and municipal customers, such as comprehensive energy management services.

¹¹ Applicants did not indicate they offered the services necessary to navigate the market in this capacity.

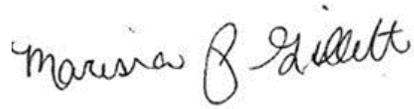
is no longer required after a certain date. Unless otherwise provided or determined by the Authority, filings submitted in compliance with an order shall constitute satisfaction of the Order. Filings requiring Authority approval must be filed as a motion.

1. Applicants shall serve only commercial, industrial, municipal, or government customers, as such categories were requested in each Applicant's respective application. Applicants shall not serve residential customers.
2. Prior to serving any customer in Connecticut, each Applicant shall revise and/or amend all existing contracts with suppliers that contain any form of compensation other than the straight pass-through compensation discussed herein.
3. Prior to serving any customer in Connecticut, each Applicant shall revise and/or amend all existing contracts with suppliers that contain any provision implicating the aggregator is functioning as the agent of the supplier.
4. Applicants shall not enter into future contracts with suppliers that do not conform to Order Nos. 2 and 3 above.
5. Prior to serving any customer in Connecticut, each Applicant shall revise and/or amend all existing contracts with any entity engaging with customers on the Applicant's behalf and/or being compensated by the Applicant for engaging with customers and ensure such contracts reflect an agency between the Applicant and that entity.
6. **No later than September 20, 2023**, each Applicant shall file copies of contracts revised and/or amended pursuant to Order Nos. 2, 3, and/or 5 as a compliance filing in its respective licensing docket.
7. Applicants shall immediately incorporate the use of the Three Customer Communications for all future procurements for Connecticut customers and shall retain the documentation for three years from the date on which the respective document was executed by the customer.
8. Prior to serving any Connecticut customer, each Applicant shall submit a complete Third-Party Agent form in its licensing docket and shall submit such form on or before **October 15th annually** thereafter in its respective licensing docket. If any Applicant does not contract with third-party agents, it must still make an annual filing indicating so.
9. Each Applicant shall notify the Authority within 10 days if there are any changes to any material filed in its respective application.
10. Each Applicant shall provide the Authority with any changes to its customer service practices, procedures, or policies in writing at least 10 days prior to the effective date of such changes.
11. Each Applicant shall maintain its customer complaint records to indicate:

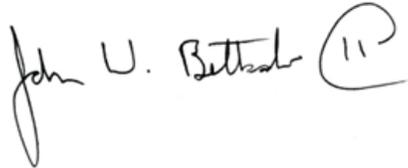
- a. Date of the complaint;
- b. Name and address of the complainant;
- c. Address or location cited in the complaint;
- d. Description of the complaint; and
- e. Description of the resolution of the complaint.

12. Pursuant to Conn. Gen. Stat. § 16-245(l)(3)(C), each Applicant shall maintain a toll-free phone number for customers.

This Decision is adopted by the following Commissioners:



Marissa P. Gillett



John W. Betkoski, III



Michael A. Caron

CERTIFICATE OF SERVICE

The foregoing is a true and correct copy of the Decision issued by the Public Utilities Regulatory Authority, State of Connecticut, and was forwarded by Certified Mail to all parties of record in this proceeding on the date indicated.



Jeffrey R. Gaudiosi, Esq.
Executive Secretary
Public Utilities Regulatory Authority

August 9, 2023

Date

Section 8.e. – Professional Resumes for
the Officers of NuEnergen

KEVIN HAMILTON

Phone: 866-977-0901 ext. 804 E-mail: khamilton@nuenergen.com

Objective

Leading & growing an expert energy services organization that distinguishes itself in the marketplace through its integrity, values, customer focus & superior value creation

Capabilities

- High degree of interpersonal and leadership skills that results in enabling goal accomplishment.
- Communicates clearly and effectively with Board Room comfort. Speaks to large or small groups with confidence.
- Highly self-motivated, driven and accountable. Presents credibility and integrity to both external and internal customers.
- Effective negotiator of definitive agreements across client sets including Financial Services, Healthcare, Ed. & Gov.

Professional Experience

- NuEnergen, LLC, White Plains, NY** **1/2005-Present**
President and CEO
Provide leadership, strategic planning & business development expertise to our team, our clients & company stakeholders.
- IBM Corporation** **12/2002-1/2005**
eServer Sales Manager – Wall Street,
Develop, manage and execute sales strategies across all IBM hardware platforms for select IBM Wall St. accounts.
- IBM Corporation** **6/2002-12/2002**
Cross Brand Sales,
Accountable for delivering IBM xSeries and networked storage infrastructure solutions to Merrill Lynch.
- EMC Corporation** **3/2001-6/2002**
Senior Account Executive, EMC Corporation
Developed and sold networked storage infrastructure solutions to an international financial services firm.
- Duke Energy** **1/2001-3/2001**
North American Vice President, Sales, Institutional Markets
Responsible for the leadership of a North American sales organization providing strategic energy outsourcing services.
- Duke Energy** **1/2000-1/2001**
Regional Vice President, Sales
Lead the Duke Solutions Northeast sales org. responsible for the rationalization of sales strategy & business development.
- Enron Energy Services Industry Sales Group** **7/1998-1/2000**
Director, Business Development
Developed national Integrated Energy & Facility Management outsourcing programs within the United States.

KEVIN HAMILTON

Phone: 866-977-0901 ext. 804 E-mail: khamilton@nuenergen.com

Enron Energy Services Industry Sales Group
Major Account Representative

4/1998-7/1998

Developed regional strategic energy outsourcing services for prospective Healthcare clients in the Northeast.

Honeywell Healthcare Business Unit
Account Executive

1996-4/1998

Developed and executed performance contracting sales strategies in the Healthcare industry within the Northeast.

Home & Building Control Honeywell
Sales Manager

1995-1996

Managed, motivated and lead the H&BC Boston Group sales organization including performance contracting, commercial and home security, and the product business units. Leadership provided to fourteen sales professionals with P&L responsibility.

Honeywell Performance Contracting
Sales Team Leader, Honeywell Performance Contracting

1994-1995

Sales leadership responsibilities of the Boston Group performance contracting sales organization.

Honeywell Healthcare & Education Business Units
Account Executive

1988-1993

Developed and executed performance contracting sales strategies within the Healthcare, K- 12 and Higher Ed. markets.

Education

Harvard University Graduate School of Business

2004

Business Insight Program – Executive Development

Babson College Graduate School of Business, Wellesley, MA

2000

MBA - Entrepreneurial Studies & Int. Business Mgt., Magna Cum Laude

Clarkson University: Potsdam, NY

1998

Bachelor of Science - Engineering and Management

Anthony R. Nole

Phone: 814-483-1232 E-mail: anole@nuenergen.com

Summary

Experienced energy industry executive with a proven track record of success, consistently delivering strong financial and operational results. Over 20 years of experience across the energy industry, including distributed energy resources, demand response, oil-to-natural gas conversions, retail petroleum marketing, generator tolling oil, and refinery supply and engineering.

Key differentiating strengths include the ability to apply commercial acumen, technical problem solving, and team leadership to drive business outcomes, and the ability to adapt quickly to new environments and strategic challenges. Have achieved success in both business-to-business and business-to-consumer environments and have led teams ranging from small groups of technical specialists to business units of nearly 1000 employees.

Core Competencies: Distributed Energy Resources, Demand Response, Energy Commodity Markets, Energy Optimization, Supply Optimization, Team Leadership, Operations Management

Professional Experience

NuEnergien, LLC – White Plains, NY

08/2020 – Present

Chief Operating Officer

Executive management of the company's strategic, financial and business objectives as concerns the various operations departments and service lines. Previously Executive Vice President and GM of Demand Response services.

Centrica, plc – Iselin, NJ

2015 – 2020

Head of Energy Optimization and Insights - Centrica Business Solutions, NA

2016 – 2020

Led the Energy Optimization and Insights business unit for Centrica Business Solutions North America, a division focused on providing distributed energy solutions for C&I customers.

- Responsible for all aspects of the demand response business, including program and wholesale operations
- Leading initiatives to leverage "advanced optimization" capabilities for distributed energy resources, including controls, aggregation, peak load management, and ancillary service to maximize asset values
- Leading teams delivering energy insights with Centrica's Panoramic technology, providing actionable intelligence on energy usage from site level to device level
- Delivered record growth in new MW signed for traditional demand response business in first 2 years
- Expanding DR operations into Ontario – first new market entry in at least 3 years for Centrica in N.A.
- Implemented shift in strategic direction for Energy Insights business to align resources to revenue
- Team engagement and enablement survey results consistently above benchmarks

Anthony R. Nole

Phone: 814-483-1232 E-mail: anole@nuenergen.com

Director of Projects and Commercial Analytics - Direct Energy Bus. Solutions **2015 – 2016**

Led the teams responsible for project completion and commercial evaluation for Direct Energy Business Solutions – a division focused on value-added services for commodity customers. Played a key role in managing the program to form the strategy for Centrica Business Solutions in North America and develop the initial regional organizational structure.

- Met all project cost and schedule targets within contingencies outside of utility interconnections
- Instituted safety practices to minimize safety or environmental incidents for employees and contractors
- Managed team developing statistical tools for advanced hedge consulting for sophisticated customers
- Established processes for project approval, capital allocation, contingency planning and on-bill financing
- Managed the strategy formation study for the Distributed Energy and Power N.A. regional business

Speedway, LLC (Marathon Petroleum Corp) - Woodbridge, NJ / Enon, OH **2014 – 2015** **Director of Fuel and Commercial Services**

After the acquisition of Hess Retail Marketing, became responsible for fuel pricing strategies and external fuel sourcing across the newly integrated retail chain, as well as managing the Wilco fuel transportation fleet, direct fleet fuel sales, and emerging technology development.

- Responsible for fuel profitability and volume targets across 6 billion gal/yr fuel portfolio, outperforming targets for first 6 months of acquisition
- Led fuel strategy integration for East Division, including transfer pricing, reporting, and target setting
- Set strategic parameters for fuel purchases outside Marathon supply chain and approved purchases
- Managed integration of Wilco fuel transportation fleet, optimizing fuel deliveries within the Carolinas
- Oversaw team testing and implementation of new technologies including new payment methods, interactive video screens at the pump, and rewards touch screens at the register

Hess Corporation - Woodbridge, NJ **2005 – 2014** **Director of Fuel Pricing and Bus. Intelligence** - Retail Marketing **2013 – 2014**

Led the fuel pricing function for a for a chain of 1200+ company operated fuel and convenience store locations with annual fuel sales of 3 billion gallons/year. Managed volume and margin targets across all fuel products to deliver against margin plan. Managed the Business Intelligence function providing data insights for the chain.

- Led the strategic overhaul of gasoline and diesel profitability strategies to improve the balance of margin and volume in preparation for potential spin-off
- Developed a new fuel pricing management process including comprehensive metrics tracking, setting price differential targets, and performing weekly executive report-outs
- Special Assignment: Led PMO activities to coordinate integration activities for the 390 location WilcoHess acquisition and directed the Virtual Data Room activities for the sale of Hess Retail

Anthony R. Nole

Phone: 814-483-1232 E-mail: anole@nuenergen.com

Director of Conversion Projects - Energy Marketing, Energy Solutions **2011 – 2013**

Led development and implementation of a new business initiative to extend customer offerings beyond heating oil, electricity and natural gas sales into oil-to-gas conversion projects and services, including on-bill financing through the gas purchase. Responsible for business development, product design, contract negotiations, and leading project management team responsible for implementation and meeting key metrics.

- Led conversions initiative from pilot to \$12 million in booked gross margin within 24 months

Regional Director NJ Stores - Retail Marketing, NJ Division **2009 – 2011**

Managed a business unit of 77 convenience store locations with over 1000 employees and over \$650M in combined fuel and store sales. Responsible for all aspects of business unit performance, including meeting financial and safety targets, developing vendor relationships, succession planning, and personnel development.

- Reversed several years of regional underperformance, exceeding net operating margin by \$425k/year
- Grew in-store sales by 5%/yr and in-store margin by 4%/yr, while holding expenses below budget
- Achieved record safety performance for the region, reducing recordable incidents by 30% year over year
- Improved the HR culture by reducing asst. manager vacancies by 50% and focusing on internal promotion

Senior Electric Analyst - Energy Marketing, Electric Operations **2007 – 2009**

Managed Hess' first electricity tolling deal for a 2000+ MW generating plant in New York City. Coordinated activities across electricity, natural gas, and oil groups to optimize income. Monitored hedging positions and integrated valuation approach with the electricity trading desk. Exceeded financial targets for the deal.

Sr. Refining Analyst - Hess HOVENSA Supply **2005 – 2007**

Provided optimization and refining expertise for the supply team of a 500 MB/d joint venture refinery in St. Croix, USVI. Performed supply planning, trading evaluations and profitability improvement studies, and negotiated supported intermittent naphtha feedstock and spot crude purchases.

- Led analysis and negotiations with JV partner to reach a favorable settlement to a \$6.2MM dispute

ExxonMobil Corporation **1997 – 2005**

Resid Conversion Sr. Engineer - EM Research & Engineering - Fairfax, VA **2003 – 2005**

Ran R&D projects with a cross-functional team to improve operations in fluidized bed coking reactors with \$20 million in targeted benefits and served as process engineering lead in development of proprietary coking process model with \$5 million in benefits.

Refinery Supply Coordinator - Nanticoke Refinery - Nanticoke, ON Canada **2002 – 2003**

Held both supply coordination positions at a 120 kb/d refinery, including product blending, quality and inventory management for products and intermediates, product shipping, and setting unit operating targets.

- Achieved \$1.5 million in profit improvements through supply optimization during a major turnaround

Anthony R. Nole

Phone: 814-483-1232 E-mail: anole@nuenergen.com

Optimization and Supply Specialist - Central Supply, Imperial Oil, Ltd. - Toronto ON, Canada **2001 – 2002**
Provided supply optimization and modeling expertise for Imperial Oil headquarters and regional supply and refinery teams, including model development and usage standards, supply plan review, and training.

- Defined modeling specs for low sulfur gasoline regulations and realized >\$100k per region in synergies

Lead Model Engineer - Process and Planning Optimization; EM Res. & Eng. – Fairfax, VA **1999 – 2001**
Led the scoping, development, and delivery of upgrades non-linear optimizable refinery supply models for refineries in Europe and Canada.

Education

Harvard Business School, Executive Education

Program for Leadership Development
Building New Businesses in Established Organizations

2007 – 2008
2011

Massachusetts Institute of Technology

Master of Science: Chemical Engineering Practice

- Jefferson Tester Award for Excellence

Bachelor of Science: Chemical Engineering; Economics Minor

- GPA 5.0 / 5.0

Michael B. Herz, CPA, MBA, ABV

6 Carpenter Way, Armonk, NY 10504 - (203) 731-1577 - Michaelbherz@gmail.com

Linkedin URL: <http://www.linkedin.com/in/michaelbherz>

EXPERIENCED FINANCIAL MANAGEMENT PROFESSIONAL

A self-motivated, highly accomplished business professional with a proven track record of financial management and innovation. Proven ability to streamline operations, implement cost-cutting initiatives, communicate effectively throughout an organization, team player and team builder. Recognized for ability to mentor and encourage growth within subordinates, while achieving goals and objectives on or ahead of schedule. Detail oriented with ability to view the big picture, intuitive decision-maker, problem-solver and strategic thinker.

CORE COMPETENCIES

- | | | |
|------------------------------------|-------------------------------|----------------------------|
| • Extensive Knowledge of U.S. GAAP | • Financial Reporting | • Financial Analysis |
| • Internal Controls Evaluation | • Budgeting & Forecasting | • KPI Metrics & Dashboards |
| • Contract Review & Negotiation | • Cash Flow Management | • Mergers and Acquisitions |
| • Developing Bank Lines of Credit | • Conflict Resolution Methods | • Project Management |
-

EXPERIENCE:

NuEnergen LLC, White Plains, NY – April 2018 to Present

First-Ever CFO for a rapidly growing regional energy consulting firm owned by a Private Equity Group. In charge of all accounting, finance, financial planning and analysis, and human resources.

Accomplishments include:

- Part of the Senior Management Team engaged in Strategic Planning.
- In charge of financial planning, budgeting, forecasting and financial analysis.
- Established all the systems of internal controls.
- Helped grow the company from \$27MM to almost \$58MM in revenues in my first 5 years.
- Effectively managed the cash flows to facilitate this growth without the need for borrowing.
- Successfully acquired and integrated a company within the energy industry from existing working capital.
- Researched, applied for and recovered almost \$550K in Employee Retention Tax Credits.
- Part of the team engaged in pre-acquisition due diligence for target companies.

Clean Air Group, Inc., Fairfield, CT - January 2015 to April 2018

CFO for an emerging manufacturer of air purification products. In charge of all accounting, finance, cash flow management, financial planning and analysis, and human resources.

Accomplishments included:

- Improved systems of internal control.
- Reduced the time for the monthly and year-end closings.
- Carefully controlled the cash flows during several volatile years.

Mt. Vernon Neighborhood Health Center, Mt. Vernon, NY – March 2014 to September 2014

CFO of a non-profit federally qualified healthcare center with 6 locations, 50 physicians, 325 employees and a \$30 million annual budget. In charge of all accounting, finance, cash flow management, financial planning and analysis, revenue cycle and materials management.

JCC of Mid-Westchester, Scarsdale, NY – April 2012 to January 2014

CFO – CFO of a Jewish Community Center with an \$8 million budget. In charge of all accounting, finance, admin., HR and IT.

New York Society of Security Analysts, Inc., New York, NY – Aug. 2008 to Oct. 2010

Managing Director of Finance, Administration, HR and IT – The largest association of security professionals in the world with more than 10,000 members.

Accomplishments included:

- Successfully streamlined the monthly financial reporting process, to reduce the closing time by 20%;
- Identified key performance indicators and created monthly dashboards, graphically displaying results;
- Orchestrated two across-the-board reductions-in-force, resulting in a 35% reduction in payroll costs and turned a forecasted loss into a break-even year for the Society, without any adverse legal actions;
- Actively participated in the creation of a new 3-year strategic plan, complete with new revenue initiatives as well as cost control and containment measures.

Box Services, LLC, New York, NY – Aug. 2007 to July 2008

Interim CFO – CFO of this rapidly-growing media company in NY City.

Accomplishments included:

- Effectively managed the financial affairs as the first-ever CFO of a \$20 million media company;
- Evaluated and successfully converted the financial accounting system from MAS 200 to MS Dynamics;
- Monitored and controlled the cash flows which facilitated the continued growth of the company, without the need to draw down from the revolving credit facility.

Herz & Herz, Armonk, NY - 1992 to 2007

Managing Director - The firm provided accounting, tax and management consulting services to a variety of small to medium-sized businesses. Engagements included business evaluations, business valuations, mergers, acquisitions and divestitures, negotiation and conflict resolution, forensic and investigative accounting, providing litigation support and expert witness testimony, bankruptcy, insolvency and corporate reorganizations, the preparation of business plans, securing financing for expansion needs and serving as a part-time CFO.

PPI Enterprises (U.S.), Inc., New York, N.Y. – 1988 to 1992 - **Vice President - Finance, CFO and Director** - Responsible for all corporate accounting and treasury functions, reviewing all financial statements, overseeing the centralized cash management system and expanding the banking relationships.

Fingermatrix, Inc. -1986 -1988 - **Controller** - Manufacturer of electronic fingerprint identification systems

Nutri-Bevco, Inc. - 1985 - 1986 - **Controller/Treasurer/CFO** - Nutritional drink mix manufacturer

Mann Judd Landau, CPAs - 1981 - 1985 - **Audit Manager** - Top 20 CPA firm (now part of Deloitte)

Coopers & Lybrand, CPAs - 1979 - 1981 - **Auditor** - A "Big 4" CPA firm (PriceWaterhouseCoopers)

EDUCATION: Pace University – MBA in Finance - 1985, BBA in Accounting - 1979

PROFESSIONAL ACHIEVEMENTS:

- CPA licensed to practice in New York State -1985 and Connecticut - 1981
- Member of the New York State Society of CPAs since 1985
- Accredited by the AICPA as a Business Valuation Specialist (ABV) in 1999
- Member of the Non-For-Profit Committee of the NYSSCPAs – 2008 - 2010
- Chairman of the NYSSCPA Westchester Accountants in Industry Committee – 2012 to 2023
- Board Secretary of the NYSSCPA Westchester Chapter – June 2014 to May 2015
- Board Treasurer of the NYSSCPA Westchester Chapter – June 2015 to May 2016
- Board Vice President of the NYSSCPA Westchester Chapter – June 2016 to May 2017
- Board President-Elect of the NYSSCPA Westchester Chapter – June 2017 to May 2018
- Board President of the NYSSCPA Westchester Chapter – June 2018 to May 2019