



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

Application Form for Parties Wishing to Offer, Render, Furnish, or Supply Electricity or Electric Generation Services to the Public in the Commonwealth of Pennsylvania

Version Revised 01/04/24

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Utiliz Services, LLC d/b/a N/A for approval to offer, render, furnish, or supply electricity or electric generation services as a(n) Broker / Marketer 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:

Utiliz Services, LLC
7880 San Felipe Suite 210
Houston, TX 77063
844-707-5757
www.myutiliz.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.

Registered Agents, Inc.
1150 First Ave., STE 511
King of Prussia, PA 19406

- 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.

C.Thomas Schmidt – CEO
7880 San Felipe Suite 210
Houston, TX 77063
713-568-4898
tom@justviv.com

- d. **ATTORNEY:** Provide the name, address, telephone number, fax number, and e-mail address of the Applicant's attorney. If the Applicant is not using an attorney, explicitly state so.

C.Thomas Schmidt – CEO/Council
7880 San Felipe Suite 210
Houston, TX 77063
713-568-4898
tom@schmindtfirm.com

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

Utiliz Services LLC
c/o Ed Cuyatti, Director of Customer Care
7880 San Felipe Suite 210
Houston, TX 77063
844-707-5757
ed@justviv.com

2. **BUSINESS ENTITY FILINGS AND REGISTRATION**

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

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

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

or

The Applicant will not be using a fictitious name.

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

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

The Applicant is a sole proprietor.

- If the Applicant is located outside the Commonwealth, provide proof of compliance with 15 Pa.C.S. § 412 relating to Department of State filing requirements.

or

The Applicant is a:

- domestic general partnership (*)
- domestic limited partnership (15 Pa.C.S. § 8621)
- foreign general or limited partnership (15 Pa.C.S. §§ 411 and 412)
- domestic limited liability partnership (15 Pa.C.S. §§ 8201 and 8221)
- foreign limited liability general partnership (15 Pa.C.S. §§ 411 and 412)
- foreign limited liability limited partnership (15 Pa.C.S. §§ 411 and 412)

- Provide proof of compliance with appropriate Department of State filing requirements as indicated above.
- Give name, d/b/a, and address of partners. If any partner is not an individual, identify the business nature of the partner entity and identify its partners or officers.
- Provide the state in which the business is organized/formed and provide a copy of the Applicant's charter documentation.
- * If a corporate partner in the Applicant's domestic partnership is not domiciled in Pennsylvania, attach a copy of the Applicant's Department of State filing pursuant to 15 Pa.C.S. §§ 411 and 412.

or

The Applicant is a:

- domestic corporation (15 Pa.C.S. § 1308)
- foreign corporation (15 Pa.C.S. §§ 411 and 412)
- domestic limited liability company (15 Pa.C.S. § 8821)
- foreign limited liability company (15 Pa.C.S. §§ 411 and 412)
- Other (Describe):

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

(See Attachment #1)

3. 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.

N/A

b. **PREDECESSORS:** Identify any predecessors of the Applicant and provide the names under which the Applicant has operated, including address, web address, and telephone number, if applicable. If the Applicant does not have any predecessors that have done business, explicitly state so.

N/A

c. **RELATED DOCKET NUMBERS:** Provide the Docket Numbers for any previous Pennsylvania PUC licenses for the Applicant, all affiliates, and any predecessors. If the Applicant does not have any related Docket Numbers, explicitly state so.

N/A

4. OPERATIONS

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

Definitions

- Supplier – an entity that sells electricity to end-use customers utilizing the jurisdictional transmission and distribution facilities of an EDC.
- Aggregator - an entity that purchases electric energy and takes title to electric energy as an intermediary for sale to retail customers.
- Broker/Marketer - an entity that acts as an intermediary in the sale and purchase of electric energy but does not take title to electric energy.

The Applicant is presently doing business in Pennsylvania as a

- municipal electric corporation
- electric cooperative
- local gas distribution company
- provider of electric generation, transmission or distribution services
- broker/marketer engaged in the business of supplying electricity services
- Other; Identify the nature of service being rendered.

or

The Applicant is not presently doing business in Pennsylvania.

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

- Supplier of electricity
- Aggregator engaged in the business of supplying electricity

- Broker
 - 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.

Electric management service for residential, commercial, and industrial customers. We shop for the lowest rates on behalf of the customer to match them with the best available plans in the market.

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

- | | |
|---|---|
| <input type="checkbox"/> Citizens' Electric | <input type="checkbox"/> Pike |
| <input type="checkbox"/> Duquesne Light | <input type="checkbox"/> PPL |
| <input type="checkbox"/> Met-Ed | <input type="checkbox"/> UGI Utilities |
| <input type="checkbox"/> PECO | <input type="checkbox"/> Wellsboro |
| <input type="checkbox"/> Penelec | <input type="checkbox"/> West Penn |
| <input type="checkbox"/> Penn Power | |
| | <input checked="" type="checkbox"/> Entire Commonwealth of PA |

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

- Residential Customers
- Small Commercial Customers - (25 kW and Under)
- Large Commercial Customers - (Over 25 kW)
- Industrial Customers
- Governmental Customers
- All of above
- Other (Describe):
- Residential and Small Commercial Customers in a Mixed Meter Capacity -
 This customer class reflects situations in which a large commercial, industrial, and/or governmental customer account also contains features of residential and/or small commercial customers. In this instance, the residential and/or small commercial portion must be an incidental portion of the larger account. **This customer class alone does not allow marketing targeted directly to residential and/or small commercial customers.** Further information may be found in the Requirements Applicable to Mixed Meter Scenarios Secretarial Letter served March 25, 2011, at Docket No. M-2009-2082042.

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

Upon approval of this application.

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.

The applicant has no proceedings to list.

- b. **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.

The applicant has no proceedings to list.

- c. **SUMMARY:** Provide a statement as to the resolution or present status of any proceedings or actions listed above. Additionally, provide details of any actions the applicant has undertaken that will prevent the items listed above from occurring if licensed in Pennsylvania.

The applicant has no proceedings to list.

6. PROOF OF SERVICE

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

- a. **STATUTORY AGENCIES:** Pursuant to Sections 1.57, 1.58, and 54.32(d) of the Commission's Regulations, 52 Pa. Code §§ 1.57, 1.58, and 54.32(d), provide proof of service of a signed and verified Application with attachments on 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

- b. **EDCs:** Pursuant to Sections 1.57, 1.58, and 54.32(d) of the Commission’s Regulations, 52 Pa. Code §§ 1.57, 1.58, and 54.32(d), provide Proof of Service of the Application and attachments upon each Electric Distribution Company the Applicant proposes to provide service in. Upon review of the Application, further notice may be required pursuant to Section 5.14 of the Commission’s Regulations, 52 Pa. Code § 5.14. Contact information for each EDC is as follows.

<p>Citizens’ Electric Company: Citizens’ Electric Company Attn: EGS Coordination 1775 Industrial Boulevard Lewisburg, PA 17837</p>	<p>Duquesne Light Company: Regulatory Affairs Duquesne Light Company 411 Seventh Street, MD 16-4 Pittsburgh, PA 15219</p>
<p>Met-Ed, Penelec, and Penn Power: Legal Department First Energy 2800 Pottsville Pike Reading PA, 19612</p>	<p>PECO: Manager Energy Acquisition PECO Energy Company 2301 Market Street Philadelphia, PA 19101-8699</p>
<p>Pike County Light & Power Company: Vice President – Energy Supply Corning Natural Gas Holding Corporation 330 West William Street Corning, NY 14830</p>	<p>PPL: Office of General Counsel Attn: Kimberly A. Klock PPL Two North Ninth Street (GENTW3) Allentown, PA 18101-1179</p>
<p>UGI: UGI Utilities, Inc. Attn: Rates Dept. – Choice Coordinator 1 UGI Drive Denver, PA 17517</p>	<p>Wellsboro Electric Company: Wellsboro Electric Company Attn: EGS Coordination 33 Austin Street P. O. Box 138 Wellsboro, PA 16901</p>
<p>West Penn Power: Legal Department West Penn Power d/b/a Allegheny Power 800 Cabin Hill Drive Greensburg, PA 15601-1689</p>	

7. FINANCIAL FITNESS

a. **FINANCIAL SECURITY:** In accordance with 66 Pa.C.S. § 2809(c)(1)(i) and 52 Pa. Code § 54.40(a), 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.
- 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.

(See Attachment #2)

Original Bond is mailed to PA PUC together with the CONFIDENTIAL information via overnight service.

CRITICAL BONDING NOTES:

Applicant is required to maintain a bond or other financial instrument the entire time it maintains an EGS license with the Commonwealth of Pennsylvania. If Applicant's security instrument is not continuous, Applicant **MUST** submit a Rider, Amendment, or Continuation Certificate annually based on the expiration date of its security instrument.

At least sixty days (60) prior to the security instrument's expiration date, EGS suppliers should email pc-puc-tus-energy@pagov.onmicrosoft.com or call (717)783-5242 to determine the appropriate bonding amount based on a percentage of suppliers gross receipts resulting from the sale of generated electricity consumed in Pennsylvania. Once the amount has been determined, suppliers should overnight the updated security instrument(s) at least thirty (30) days prior to the expiration date to ensure adequate time for staff review and approval of the security instrument(s).

Template versions of a continuous bond (preferred), fixed-term bond, continuous letter of credit, and parental guarantee are attached at Appendix E, F, G, & H, respectively. Applicant's security must follow language from these examples, and must include the unmodified language outlined in Appendix D. Any deviation from these examples must be identified in the application and may not be acceptable to the Commission.

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

- Actual (or proposed) organizational structure including parent, affiliated or subsidiary companies.

- Published Applicant or parent company financial and credit information (i.e. 10Q or 10K) (SEC/EDGAR web addresses are sufficient)
- Applicant's accounting statements, including balance sheet and income statements for the past two years.
- Evidence of Applicant's credit rating. Applicant may provide a copy of its Dun and Bradstreet Credit Report and Robert Morris and Associates financial form, evidence of Moody's, S&P, or Fitch ratings, and/or other independent financial service reports.
- A description of the types and amounts of insurance carried by Applicant which are specifically intended to provide for or support its financial fitness to perform its obligations as a licensee.
- Audited financial statements exhibiting accounts over a minimum two-year period.
- Bank account statements (3-12 recent consecutive months), tax returns from the previous two years, or any other information that demonstrates Applicant's financial fitness.

(See Attachment #3 – CONFIDENTIAL information submitted separately via hard copy mailed to PA PUC)

- 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.

The applicant will only operate as Broker/Marketer.

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

We will collect fees from suppliers as Broker/Marketer.

- 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.

Phillip Wills
7880 San Felipe Suite 210
Houston, TX 77063
832-651-1855
pwills@utilityrescue.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. Submitting N/A on either the Sales Tax License Number or the Employer ID Number (items 7A and 7B) shall be accompanied by supporting documentation or an explanation validating the absence of such information.

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

8. TECHNICAL FITNESS:

To ensure that the present quality and availability of service provided by 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:** such information may include:

- Applicant's previous experience in the electricity industry.
- Summary and proof of licenses as a supplier of electric services in other states or jurisdictions.
- Type of customers and number of customers Applicant currently serves in other jurisdictions.
- Staffing structure and numbers as well as employee training commitments.
- Business plans for operations within the Commonwealth.
- Documentation of membership in PJM, ECAR, MAAC, other regional reliability councils, or any other membership or certification that is deemed appropriate to justify competency to operate as an EGS within the Commonwealth.
- Any other information appropriate to ensure the technical capabilities of the Applicant.

(See Attachment #4)

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):

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

- Yes
- No

If yes, will the Applicant be using verification procedures?

- Yes
- No

If yes, describe the Applicant's verification procedures.

- 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.

Utiliz Services, LLC markets to customers online, word of mouth, customer referrals,

- 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.

(See Attachment 5)

- 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.

- Electricity should be priced in clearly stated terms to the extent possible. Common definitions should be used. All consumer contracts or sales agreements should be written in plain language with any exclusions, exceptions, add-ons, package offers, limited time offers or other deadlines prominently communicated. Penalties and procedures for ending contracts should be clearly communicated.

Not applicable for an applicant applying for a license exclusively as a broker/marketer.

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(b)(4).
- 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 of the Public Utility Code, 66 Pa.C.S. Chapt. 28, pertaining to reliability and to inform the Governor and Legislature of the progress of the transition to a fully competitive electric market.

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. § 2809(D) and 52 Pa. Code § 54.41(a). Transferee will be required to file the appropriate licensing application.

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.

ACKNOWLEDGED

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.

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. §§ 4902, 4903, and 4904, relating to perjury and falsification in official matters.

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 thirty (30) 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.

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.

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.

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.

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.
- 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.

12. NEWSPAPER PUBLICATIONS

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

All Applicants MUST include a Commission issued Docket Number in their publications. Docket Numbers are issued to new applicants when an application packet is submitted to the PUC's Secretary's Bureau. **Newspaper publications published without a Commission issued Docket No. will be rejected.** For more information, see 52 Pa. Code § 54.35.

Notice of filing of this Application must be published in newspapers of general circulation covering each county in which the applicant intends to provide service. The newspapers in which proof of publication are required is dependent on the service territories the applicant is proposing to serve.


The chart below dictates which newspapers are necessary for each EDC. For example, an applicant that wants to operate in Penn Power would need to run ads in both The Erie Times-News and the Pittsburgh Post-Gazette. If the applicant is proposing to serve the entire Commonwealth, please file proof of publication in all seven newspapers.

The only acceptable verification of this requirement is with Notarized Proofs of Publication, which may be requested from each newspaper and **must be supplied to the Commission before the applicant is licensed.**

	Erie Times-News	Harrisburg Patriot-News	Philadelphia Daily News or Philadelphia Inquirer	Pittsburgh Post-Gazette	Scranton Times-Tribune	Williamsport Sun-Gazette	Johnstown Tribune-Democrat
Citizens' Electric						X	
Duquesne				X			
Met Ed		X	X		X		
PECO			X				
Penelec	X	X			X	X	X
Penn Power	X			X			
Pike					X		
PPL		X	X		X	X	
UGI					X		
Wellsboro						X	
West Penn		X		X		X	X
Entire Commonwealth	X	X	X	X	X	X	X

(Newspaper Publication Templates are provided at Appendices K and L)

13. SIGNATURE

Applicant:  _____
 By: Charles Thomas Schmidt
 Title: CEO & Manager

14. CHECKLIST

For the applicant's convenience, please use the following checklist to ensure all relevant sections are complete. The Commission Secretary's Bureau will not accept an application unless each of the following sections are complete.

Applicant: UTILIZ SERVICES, LLC

Applicant's Use	Signature	
	Filing Fee (CERTIFIED CHECK OR MONEY ORDER ONLY)	
	Application Affidavit	
	Operations Affidavit	
	Bond, Letter of Credit, or Parental/Affiliate Guarantee	
	Tax Certification Statement	
	Commonwealth Department of State Verification	
	Certificate of Service	

PUC Secretary's Bureau Use

Appendix A
APPLICATION AFFIDAVIT

State of Connecticut :

: ss.

County of Fairfield :

C.Thomas Schmidt, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

[He/she is the Chief Executive Officer (Office of Affiant) of Utiliz Services, LLC (Name of Applicant);]

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

That the Applicant herein C.Thomas Schmidt has the burden of producing information and supporting documentation demonstrating its technical and financial fitness to be licensed as an electric generation supplier pursuant to 66 Pa.C.S. § 2809 (b) and 52 Pa. Code § 54.37.

That the Applicant herein C.Thomas Schmidt has answered the questions on the application correctly, truthfully, and completely and provided supporting documentation as required.

That the Applicant herein C.Thomas Schmidt 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 C.Thomas Schmidt 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 16th day of July, 2024.



Signature of official administering oath

My commission expires 05/31/2028



Appendix B

OPERATIONS AFFIDAVIT

State of Connecticut :

: ss.

County of Fairfield :

C.Thomas Schmidt, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

[He/she is the Chief Executive Officer (Office of Affiant) of Utiliz Services, LLC (Name of Applicant);]

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

That C.Thomas Schmidt, the Applicant herein, acknowledges that [Applicant] 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 C.Thomas Schmidt, the Applicant herein, asserts that [he/she/it] possesses the requisite technical, managerial, and financial fitness to render electric 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 C.Thomas Schmidt, 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 Code of 1971, 72 P.S. §§ 7101 et seq., and any tax imposed by Chapter 28 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 Gross Receipts and power 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).

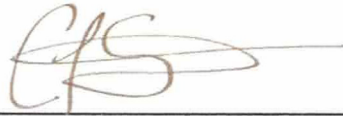
As provided by 66 Pa.C.S. § 2810 (C)(6)(iv), Applicant, by filing of this application waives confidentiality with respect to its state tax information in the possession of the Department of Revenue, regardless of the source of the information, and shall consent to the Department of Revenue providing that information to the Pennsylvania Public Utility Commission.

Appendix B (Continued)

That Utiliz Services, LLC, the Applicant herein, acknowledges that it has a statutory obligation to conform with 66 Pa.C.S. § 506, § 2807(c), § 2807(d)(2), § 2809(b) 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 Bureau of Public Liaison 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 16th day of July, 2024.



Signature of official in his or her official capacity

My commission expires 05/31/2028



Pennsylvania Department of State
Bureau of Corporations and Charitable Organizations
PO Box 8722 | Harrisburg, PA 17105-8722
T: 717-787-1057
dos.pa.gov/BusinessCharities

Regarding: Utiliz Services, LLC
Request Type: Certificate of Registration
Request No.: 037443637
Receipt No.: 1087811
Filing Type: Foreign Limited Liability Company
Filing Subtype: Limited Liability Company
Initial Filing Date: January 03, 2022
Status: Active

Issuance Date: June 11, 2024
File No: 0007427780

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

I DO HEREBY CERTIFY THAT

Utiliz Services, LLC

is a foreign association duly registered to do business in this Commonwealth as of the issuance date herein.

I DO FURTHER CERTIFY THAT this Certificate of Registration shall not imply that all fees, taxes and penalties owed to the Commonwealth of Pennsylvania are paid.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of my office to be affixed, the day and year above written.

A handwritten signature in cursive script, appearing to read "Albert Schmidt".

Albert Schmidt
Secretary of the Commonwealth

Verify this certificate online at www.file.dos.pa.gov

Delaware

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "UTILIZ SERVICES, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE FIFTEENTH DAY OF MARCH, A.D. 2024.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "UTILIZ SERVICES, LLC" WAS FORMED ON THE NINETEENTH DAY OF AUGUST, A.D. 2021.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN PAID TO DATE.




Jeffrey W. Bullock, Secretary of State

6177621 8300

SR# 20241030186

You may verify this certificate online at corp.delaware.gov/authver.shtml

Authentication: 203037922

Date: 03-15-24



Attachment # 1 – Name and Addresses of officers

C.Thomas Schmidt – CEO

Address: 7880 San Felipe Ste 210, Houston TX 77063

Rita Karpel – President

Address: 7880 San Felipe Ste 210, Houston TX 77063



Attachment #4_ Company products and marketing

Our sister company, www.justviv.com is a bill negotiation platform. When customers in deregulated energy states select electricity and/or natural gas as the service they'd like assistance with, we offer them service through www.myutiliz.com

Our customers come to us through network marketing and white label partnerships online.

Finding customers savings is what we do best, and with a White Label partnership you can offer our services to your customers, under your own brand name, allowing you to build a new revenue stream while we work on their savings!

Utiliz LLC Services through www.justviv.com

- **Bill Negotiation (Residential): CUSTOMERS UPLOAD THEIR BILLS AND WE LOWER THEM.** Our Advocates negotiate savings on customer's behalf for essential services, including: TV, Internet, Mobile, Satellite, Electricity Security, and more. With AutoPilot we do all the work so customers aren't overpaying.
- **Energy (Residential and Commercial, where deregulated) in www.myutiliz.com :** We match our customers with an electric and/or natural gas supplier that can provide value – competitive rates, renewable energy, and/or fixed rate plans.
- **Bill Negotiation (Commercial): TIME IS VALUABLE AND SO IS MONEY. WE SAVE CUSTOMERS BOTH.** Our Advocates review commercial customer's bills and negotiate on their behalf to make sure they aren't overpaying.
- **Energy Efficiency (Commercial): LOWER ENERGY CONSUMPTION AND INCREASED BOTTOM LINE.** Our Energy Efficiency products, powered by The Madison Energy Group, are engineered to reduce energy consumption from HVAC systems, walk-in coolers, and freezers reducing commercial customer's overhead costs.
- **Bill Auditing (Commercial): REMOVE OVERCHARGES AND SAVE MONEY.** Our advocates audit years' worth of bills finding overcharges, eliminating mistakes, and obtaining refunds when possible. Not only is it possible to get money BACK, but we can also correct errors on future bills to ensure reductions.

Confident Customer Care

Why is Confidence Important and how do I convey it?

Why is it important to convey confidence when speaking with someone?

- **Sounding confident on the phone makes for a more convincing conversation with your customer.**
- **This means that the customer will be more likely to:**
 - Trust the information you are giving out.
 - Trust your ability to resolve their issue.
 - Desire to work with you and hear what you are saying.

People make all sorts of snap judgments when hearing your voice. Your tone, pitch, pace, and inflection conveys all sorts of meaning.

How can I sound Confident on the phone?

Sounding confident will require that we make some adjustments to our speech pattern. We'll need to eliminate words and verbal cues that might make a customer feel that you are less than sure of the information you are giving out.

Some common verbal cues and words you can try to eliminate from your speech are:

- Saying 'um' and 'ah' more often than you should
- Using **"Filler Words"** that can make you sound unsure or immature, such as:
 - "Like"
 - "Sort Of"
 - "I believe"
 - "You Know"
- **Raising the pitch of your voice at the end of a statement** (as if you were asking a question). Doing this makes an individual sound:
 - Unsure
 - Child-like
- **Speaking constantly in the same tone of voice**, which can make you sound boring, tired, and uninterested.

We should make an effort to replace those verbal cues with language and intonations that can express a level of confidence on the phone.

You may want to think about the following points when assessing how to convey certain pieces of information:

- **People respond positively to words that are active rather than passive.**
 - It's the subtle difference between saying ***"I Can"*** and ***"I Will"***
 - Think of the passive catch-all, ***"Let me see what I can do"***, which sets the customer's expectations somewhere between low and zero.
 - Avoid using words that are non-committal, like saying ***"I may be able to help you with that."***
 - Changing that to ***"I'd be delighted to help"*** makes a customer confident that you actually want to assist them.
 - Here are some more examples of positive words that you can use to replace vague language:
 - Delighted
 - Absolutely
 - Pleasure
 - Happy
 - Sorry
 - Yes

- Delivering information in a cheerful, upbeat, and **natural** manner.
 - A confident person is a person who is happy to help.
 - Be sure to express your certainty about the information you're giving, while maintaining an upbeat attitude on the phone

Things to Remember:

- Don't rely on forced or scripted language when you are connecting with a person on the phone.
- Make sure your customer knows they are talking to a REAL person, who is both confident in their ability to assist the customer, as well as genuinely glad for the opportunity to be of assistance.
- In the event a customer asks to speak with a supervisor, let them know that you are capable of handling their concern but will certainly escalate the call if you are unable to satisfactorily resolve their concern.



Attachment #4 - Statement of Technical and Managerial Competency

- Utiliz Services LLC's predecessor, Utiliz LLC has been in the electric and / or natural gas business since inception on April 27th, 2016.
- The Utiliz Services LLC service offering is management of retail suppliers on behalf of our customers or direct placement with competitive suppliers, including:
 - Identification of retail supplier and plan to best fit our customer
 - Automatic enrollment of customers onto plans
 - Querying customer usage history periodically
 - Monitoring of market prices and plan availability to ensure clients remain on competitive plans.
 - Negotiating plan rates on behalf of our clients
 - Re-enrolling a customer automatically when their current enrollment is about to end.
 - Moving customers to standard service temporarily if we can't find them a better deal in the retail market.
 - Handling first line support for our customers
 - Working closely with state regulators to help improve the deregulated energy markets in their states
- Utiliz Services, LLC is a licensed electricity aggregator in the State of Texas (BR210237), a natural gas and electricity broker in the states of Maine, Massachusetts, Illinois, New Jersey, Rhode Island and Michigan. We have pending applications in the states of Maryland, Delaware and Washington D.C.
- Utiliz Services LLC has the necessary experience to fulfill the technical competency required to operate as an energy broker / aggregator in the state of Pennsylvania. The management team brings over 20 years' experience building technology solutions and working with highly efficient trading markets and high customer volume. The executive team brings over 18 years of experience in the deregulated energy market.
- Utiliz Services LLC employs an existing team of front and back-office team members who are responsible for processing online customer enrollments, responding to customer inquiries via chat, e-mail and phone, facilitating customer renewals and liaising with retail suppliers. These team members bring 21 years of utility and retail energy supplier customer service experience.



Attachment #4_ Manager Bios/Principal Officers

C. Thomas Schmidt, CEO

7880 San Felipe Suite 210
Houston, TX 77063
713.568.4898

A native Houstonian, Tom Schmidt received a Bachelor of Arts degree in Political Science/International Politics from the University of Pennsylvania. He is also an Honors graduate of the University of Texas School of Law, where he served as an Associate Editor of the Texas Law Review. Tom has been investing in and founding private companies for 17 years. In his law practice, he represents clients in investor, shareholder, and partnership disputes, so he has extensive experience looking at deals and the way they can go wrong.

Rita Karpel, President

7880 San Felipe Suite 210
Houston, TX 77063
832.459.7335

Rita Karpel is a seasoned industry professional with more than 30 years of experience raising capital, building books of business, generating revenue, PR, IR, managing sales, marketing, strategic alliances/partners, operations, executive radio producer, TV, business development and event planning for high profile and boutique financial institutions, planners and brokers. She formerly held a Series 3 license and worked as a futures broker. The past 10 years, Rita has been consulting for various industries.

Ownership

Utiliz Services, LLC is 100% owned by Utility Rescue Holdings, Inc.

Control

Utility Rescue Holdings Inc. is a manager managed limited liability company. The company is managed by two members, who at present are C. Thomas Schmidt (CEO) and Rita Karpel (President.) The major company decisions are made at meetings of the members, which are scheduled quarterly and/or when necessary.



Attachment #5 – Officers Resume

C. THOMAS SCHMIDT

7880 San Felipe, Suite 210
Houston, Texas 77002
(713) 568-4899
tom@ctschmidt.com

EDUCATION

UNIVERSITY OF TEXAS SCHOOL OF LAW, Austin, Texas.
Juris Doctorate, With Honors.

Associate Editor, Texas Law Review
Contributing writer, Assault & Flattery Musical *Greed*
Co-founder and Editor-in-Chief, *Life in the Power Zone*, Class Newspaper
Member, Environmental Law Society

UNIVERSITY OF PENNSYLVANIA, Philadelphia, Pennsylvania.
Bachelor of Arts in Political Science/International Politics.

Undergraduate thesis in international politics

ACHIEVEMENTS

Texas Super Lawyer
Member, Multi-Million Dollar Advocates Forum
Eagle Scout

LEGAL CAREER

SCHMIDT LAW FIRM, PLLC Houston, Texas
Founding Partner July 2010 to present

FRIDGE & RESENDEZ, LLC Houston, Texas
Partner March 2007 to July 2010

SCHMIDT & HOFFER LLP Houston, Texas
Founding Partner April 2000 to March 2007

HICKS THOMAS & LILIENSTERN, L.L.P. Houston, Texas
Attorney February 1999 to April 2000

**CLEMENTS, O'NEILL, PIERCE
& NICKENS, L.L.P.** Houston, Texas
Attorney June 1996 to February 1999

NON-LEGAL EXPERIENCE

UTILIZ SERVICES, LLC Houston, Texas
Co-Founder & General Counsel July 2021 to present
Electricity and Natural Gas Broker

PULSE POWER, LLC The Woodlands, Texas
Co-Founder & General Counsel August 2018 to December 2021
Retail Electricity Provider



UNIVERSAL SMART CONTRACTS

Co-Founder & CEO
Blockchain Software Development

Casper, Wyoming
June 2018 to present

CITY INFO EXPERTS, LLC

Founder & CEO
Sightseeing Tour Reseller

Houston, Texas
July 2015 to present

GRATEFUL AMERICANS CHARITY

Co-Founder & General Counsel
Charity benefiting veterans with PTSD

Houston, Texas
May 2015 to present

ONBOARD TOURS

Co-Founder & CEO
Sightseeing Tour Operator

New York City & Washington DC
February 2004 to present

INTERCONTINENTAL TOWER CORP.

Co-Founder & General Counsel
Cellular Telephone Tower Management

Sao Paulo, Brazil
February 2001 to May 2006

PRELECTRIC ENERGY SERVICES, LLC

Co-Founder & President
Retail Electricity Provider

Houston, Texas
June 2004 to September 2009



Rita Karpel (832) 459-7335 • rita.karpel@gmail.com

PROFILE

Entrepreneurial executive, decision maker, with more than 28 years of experience of equity raising, public and private equity, branding, building books of business, PR, managing sales teams, marketing, strategic alliances/partners, operations, executive radio producer, business development and event planning for high net worth profile and boutique financial institutions, planners and brokers.

Keen negotiating skills, decision maker, and exemplary customer service techniques with a record of building and retaining high net worth client relationships, developing and maintaining media relationships and strategic partnerships. Successful in identifying opportunities for accelerated growth. Self-starter, decision make, and flexible work environment.

Sales and General Management Qualifications:

- Key Client Management
- Sales and Business Development
- Strategic and Market Planning
- Contract / Price Negotiation
- Compliance Coordination
- Presentations and Training
- Sponsorship Building
- Press and Media Relations

PROFESSIONAL EXPERIENCE

Utility Rescue Holdings, LLC **Jan 2021 - Present**
Vice President of Marketing & Investor Relations

JustViv, LLC **August 2021 – Present**

Ticker Tape Investments, LLC **December 2015 - Present**
Managing Partner

BBHC (Bourbon Brothers Holding Company) **January 2015 – March 2015**
Vice President of Corporate Finance

Consultant **September 2013 - Present**
VP, Sales, Marketing, Public, Private
Equity, Sales, PR, Business Development

National Eagle & Angels Association 2014 Managing Director of Sales & Marketing, PR Executive Producer Radio Show	September 2011 – December
Robertson Wealth Management 2011 Director of Investor & Client Relations Director of Sales and Marketing Executive Producer of Straight Talk Radio Show	September 2010 – September
FJS&K, LLC/ BizRadio Network – Houston, TX 2010 Vice President of Sales & Marketing, PR, Media	September 2006 – April
Brewer Investment Group – Chicago, IL Vice President of Marketing & Sales	2004 - 2006
Refco, Ltd. Vice President of Corporate IB Division	2004
Man Financial, Inc. – Chicago, IL Business Development Manager, Event Coordinator & Senior Account Executive	2000 - 2004
Zap Futures, LLC. - Chicago, IL Director of Marketing and Senior Account Executive	1997 - 1999
Bressert Investment Group - Chicago, IL Vice President	1996 - 1997
Robbins Trading Company - Chicago, IL Sales Manager and Senior Account Executive	1986 - 1996
Heinold Commodities, Inc. - Chicago, IL	1982 - 1986
Pioneer Commodities, Inc – Chicago, IL	1982