



GreeneHurlocker
Attorneys at Law

Brian R. Greene
BGreene@GreeneHurlocker.com
Direct Dial: 804.672.4542

October 4, 2024

VIA E-FILE (PUBLIC & CONFIDENTIAL VERSIONS)

Commission Secretary
Public Service Commission of the
District of Columbia
1325 G Street, N.W., Suite 800
Washington, D.C. 20005

Re: Application for License to Supply Electricity or Electric
Generation Services to the Public in the District of Columbia

Dear Commission Secretary:

Attached for filing are the public and confidential versions of The Power Company USA, LLC's Application for License to Supply Electricity or Electric Generation Services to the Public in the District of Columbia (Electricity Broker). We are in the process of obtaining the bond in the amount of \$10,000.00 and will send that via overnight delivery upon receipt.

Should you have any questions regarding this filing, please do not hesitate to contact me.

Sincerely,

Brian R. Greene

Attachments

BEFORE THE DISTRICT OF COLUMBIA PUBLIC SERVICE COMMISSION

Application Docket No. _____

Application of The Power Company USA,LLC, d/b/a (“doing business as”)

_____ for approval to offer, render, furnish, or supply electricity or electric generation services as a(n) Broker, [specified in item 10 below] to the public in the District of Columbia.

To the District of Columbia Public Service Commission:

BUSINESS INFORMATION

1. IDENTITY OF THE APPLICANT:

a. Legal Name The Power Company USA,LLC

Current Mailing Address: 111 Congress Ave Suite 500, Austin TX 78701

Street Address (if different): _____

Telephone Number: 800-587-1703

Website URL: https://thepowercompany.com/

Other States, including District of Columbia, in which the Applicant is now or has been engaged in the retail sale of electricity and the names under which the Applicant is engaged or has been engaged in such business(es) Applicant may limit response to the last three (3) years:

Name: The Power Company USA,LLC

Business Address: 111 Congress Ave Suite 500, Austin TX 78701

License # State of Issuance: IL 11-0665, TX BR190423, OH Electric 14-1820-EL-AGG, OH Gas 23-0177-GA-AGG

Other states in which the Applicant has applied to provide retail electric service but has been rejected. Applicant may limit response to the last three (3) years:

State(s): _____

Date of Application: _____

Attach additional sheets to the application if necessary.

- b. Trade name** (If Applicant will not be using a trade name, skip to question no. 2.a.):

Trade Name: _____

- c.** The District of Columbia and other states, in which the Applicant has provided retail electric under the current Applicant name or in a different name but has voluntarily or involuntarily surrendered its license. Describe reasons for license surrender. With regard to a voluntary or involuntary license surrender in the District of Columbia only, state whether any previously outstanding assessments and/or penalties imposed by the Commission and the Office of the People's Counsel have been paid. If any previous assessments and/or penalties are unpaid, provide a date certain when those assessments and/or penalties will be paid. Applicant may limit response to the last five (5) years:

State(s): _____

Date of License Surrender and Reasons for License Surrender:

In the District of Columbia, Amount of Paid Assessments and Unpaid Assessments/Penalties Following License Surrender and to Whom Owed (If Applicable)

Attach additional sheets to the application if necessary.

2.

- a. CONTACT PERSON-REGULATORY CONTACT:**

Name and Title: Katie Widmar

Address: 111 Congress Ave Suite 500, Austin TX 78701

Telephone: () 312-878-8569

Fax: () _____

E-mail: compliance@thepowercompany.com

b. CONTACT PERSON-CUSTOMER SERVICE and CONSUMER COMPLAINTS (not required for Aggregators who do not take title and/or Brokers):

Name and Title: _____

Address: _____

Telephone: () _____

Fax: () _____

E-mail: _____

3. RESIDENT AGENT:

Name and Title: Cogency Global Inc

Address: 1025 Connecticut Avenue N.W. suite 712, Washington DC 20036

Telephone: () 866-621-3524

Fax: () _____

E-mail: statrep@cogencyglobal.com

4. PRIMARY COMPANY OFFICIALS

President/General Partners: Name(s) William Cannon

Business Address: 111 Congress Ave Suite 500, Austin TX 78701

CEO/Managing Partner: Name Richard Rathvon

Business Address: 111 Congress Ave Suite 500, Austin TX 78701

Secretary Name: _____

Business Address: _____

Treasurer Name: _____

Business Address: _____

a. **APPLICANT'S BUSINESS FORM: (select and complete appropriate statement)**

- Proprietorship
- Corporation
- Partnership
- Limited Partnership
- Limited Liability Company
- Limited Liability Partnership
- Other _____

b. **STATE OF FORMATION: Applicant's business is formed under the laws of the State of Illinois**

c. **STATUS: Provide a certificate issued by the state of formation certifying that the Applicant is in good standing and qualified to do business in the state of formation.**

See Exhibit A

If formed under the laws of other than the District of Columbia, provide a certificate issued by the District of Columbia Department of Consumer and Regulatory Affairs (DCRA) certifying that the applicant is registered or qualified, to do business in the District of Columbia and is currently in good standing with DCRA and with the District Department of Finance and Revenue. **See Exhibit A. Proof of Finance & Revenue compliance will be updated upon receipt.**

- d. **OWNERSHIP:** Provide on a separate sheet the names and addresses of all persons and entities that directly or indirectly own ten percent (10%) or more of the ownership interests in the Applicant, or have the right to vote ten percent (10%) or more in the Applicant's voting securities, or who otherwise have the power to control ten percent (10%) or more of the Applicant. **See Exhibit B (Confidential)**

5. **AFFILIATES, OR PRECEDECESSOR(S), ENGAGED IN THE SALE OR TRANSMISSION OF ELECTRICITY AT WHOLESALE OR RETAIL TO THE PUBLIC:** (select and complete appropriate statement) (Applicant may limit responses to the last five (5) years).

- a. The Applicant has no such Affiliate(s) or Predecessors(s).

- b. The Applicant is an Affiliate of a regulated utility. Please provide regulated utility's Name and the jurisdictions in which it operates:

n/a

- c. The Affiliate(s), or Predecessor(s), other than a regulated utility that provides, or provided, sale or transmission of electricity at wholesale or retail to the public:

Name: ResCom Energy LLC

Business Address: 111 Congress Ave Suite 500, Austin TX 78701

License #, State of Issuance: IL 12-0383, OH 13-0453-EL-CRES, DE 13-226

Location of Operations (Utility Service Territory): ComEd, Duke Energy Ohio, Delmarva DE

Attach additional sheets to the application if necessary.

6. ACTIONS AGAINST LICENSEES: Provide the following information for the Applicant, any Predecessor(s), and any unregulated Affiliate that engages in or engaged in the sale or transmission of electricity at wholesale or retail to the public. (Applicant may limit responses to the last five (5) years).

- Identify all actions against the Licensee, Predecessor or any regulated or unregulated affiliate(s) such as Suspensions/Revocations/Limitations/Reprimands/Fines and describe the action in an attached statement, including docket numbers, offense dates, and case numbers, if applicable. Formal Investigations (defined as those investigations formally instituted in a public forum by way of the filing of a complaint, show cause order, or similar pleading) instituted by any regulatory agency or law enforcement agency relating to the Applicant, Predecessor(s), or unregulated affiliate(s) if, as a result of the investigation, Applicant's/Predecessor's/or affiliate's license to provide service to the public was in jeopardy are also listed. The license number, state of issuance, and name of license are identified below: **See Exhibit C (Confidential)**

State(s): _____

Name(s): _____

License Number(s) (or other applicable identification):

No such action has been taken.

7. FERC FILING: Applicant has:

- Filed an Application with the Federal Energy Regulatory Commission ("FERC") to be a Power Marketer.
- Received approval from FERC to be a Power Marketer at Docket or Case Number: _____

Not Applicable.

OPERATIONAL CAPABILITY

8. ISO/RTO AFFILIATION: Provide evidence that the Applicant has met all applicable requirements of any ISO and/or RTO for its use by the Applicant. Indicate the evidence provided (not required for aggregators who do not take title and/or brokers). **N/A**

Evidence of having met all applicable requirements of the PJM Interconnection, L.L.C. or another RTO or ISO (Attach evidence of being a signatory to all applicable agreements). N/A

9. SOURCE OF SUPPLY: (Check all that apply) (not required for aggregators who do not take title and/or brokers)

- Not applicable. Applicant will not be supplying retail electricity.
- Applicant owns generation.
- Applicant contracts for generation.
- Applicant obtains generation on the spot market.
- Other – Applicant must attach a statement detailing its source of Generation.

SCOPE OF OPERATIONS

(Check all that apply)

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

- Generator of electricity in the wholesale or retail market.
- Marketer of electricity purchasing and taking title to electricity as an intermediary for sale to customers.
- Aggregator acting on behalf of customers to purchase electricity.
- Broker acting as an agent or intermediary on behalf of customers in the sale and purchase of electricity and who does not take title to electricity.

Does Applicant intend to offer competitive billing services? _____

Is the Applicant proposing to offer any other services? _____

If so, please provide information regarding the proposed service in an attached statement.

11. AREA OF OPERATION: If the Applicant does not intend to offer services throughout the Potomac Electric Power Company territory in the District of Columbia, Applicant must, in an attached statement, describe in detail the area within the Electric Company's service territory in which Applicant's services will be offered.

- Applicant intends to offer service throughout the Potomac Electric Power Company territory in the District of Columbia.

- Applicant intends to offer services in only a portion of Potomac Electric Power Company's service territory in the District of Columbia. Please see attached statement.

12. **CUSTOMERS:** Applicant proposes to initially provide services to (check all that apply):

- Residential Customers
 Commercial Customers
 Industrial Customers
 Other (Describe in attachment)

Also, Applicant proposes:

- Restrictions upon the number of end use customers (Describe in attachment).
 No restrictions on the number of end use customers.
 Restrictions upon the size of end use customers (Describe in attachment).
 No restrictions regarding the size of the end use customers (Describe in attachment).
 Other restrictions regarding customers (Describe in attachment).

13. **START DATE:** The Applicant proposes to begin delivering services:

- Upon approval of the Application and receipt of License.
 Other approximate date of commencement.

FINANCIAL INTEGRITY

14. **REQUIRED DOCUMENTATION OF FINANCIAL INTEGRITY:**

Check that the documents listed below are attached to the Application.

The Applicant shall provide the most recent versions of the following documents to the extent they are available:

- ☒ Credit reports or ratings prepared by established credit bureaus or agencies regarding the Applicant's payment and credit history. **See Exhibit D**

- ✕ Balance sheets, income statements and statements of cash flow for the two (2) most recent twelve (12)-month periods for which information is available. Audited financial statements must be provided if they exist. In addition, the Applicant shall provide any financial statements subsequent to the most recent annual financial statements. **See Exhibit E (Confidential)**
- In the event that a parent or other company, person or entity has undertaken to guarantee the financial integrity of the Applicant, the Applicant must submit such entity's balance sheet, income statement and statement of cash flow, together with documentation of such guarantee to insure the financial integrity of the Applicant. Audited financial statements must be provided if they exist. In addition, the Applicant shall provide any available quarterly financial statements subsequent to the most recent annual financial statements.
- If the Applicant, parent, or guarantor entity has not been in existence for at least two (2) twelve (12)-month periods, it must provide balance sheets, income statements and statements of cash flow for the life of the business. Audited financial statements must be provided if they exist.
- ✕ Organizational structure of Applicant. Include Applicant's parent, affiliate(s), and subsidiary(ies) if any. **See Exhibit F**
- ✕ Evidence of general liability insurance. **See Exhibit G (Confidential)**
- If the Applicant has engaged in the retail supply of electricity supply services in any other jurisdiction, evidence that the Applicant is a licensed supplier in good standing in those jurisdictions.
- A current long-term bond rating, or other senior debt rating.
- Any other evidence of financial integrity such as an unused line of bank credit or parent guarantees.

15. BONDING REQUIREMENTS

Integrity Bond

An Applicant who cannot provide credible evidence that it meets the financial integrity standards listed in Section 4605 of Chapter 46 of Title 15 DCMR must submit a bond on the form attached to this Application ("Integrity Bond"). The Applicant, if licensed by the Commission as an electricity supplier, may be required to update/revise this initial Integrity Bond, by revising the initial Integrity Bond or posting an additional Integrity Bond, as set forth in Section 4605.

See Attachment D (Confidential) - This Attachment will be provided upon receipt. 1

However, an Applicant who can provide credible evidence that it meets the financial integrity standards listed in Section 4605 will not be required to submit an Integrity Bond. (The Applicant may still be required to submit a separate Customer Payments Bond, as discussed below.)

Customer Payments Bond

A separate bond on the appropriate form attached to this Application is mandatory if an Applicant requires prepayments and/or deposits from residential or small commercial customers (“Customer Payments Bond”). Please check one of the boxes below to state whether you, the Applicant, intend to charge, collect, or hold prepayments and/or deposits, as such terms are defined in the Bonding Requirements Addendum attached to this Application:

- Applicant will not accept prepayments or deposits from residential and small commercial customers.
- Applicant intends to accept prepayments or deposits and/or deposits from residential and small commercial customers. Applicant must comply with Bonding Requirements Addendum governing the Customer Payment Bond.

Further details regarding the District of Columbia’s bonding requirements are included in Sections 4604 and 4605 of Chapter 46 of Title 15 DCMR.

16. **NOTICE OF REQUIRED COMPLIANCE:** The Applicant is hereby notified that it is required to comply with the following:
- a. The Applicant may be required to submit bond(s), as applicable as described in Section 15 herein.
 - b. The Applicant must update this application with the Commission immediately if any of the information provided in this Application changes or an error or inaccuracy is noted during the pendency of the Application. After an Application has been approved, a Licensee must inform the Commission of changes to all parts of the application and the averment regarding any civil, criminal, or regulatory penalties, etc. imposed on applicant, *et al.* within thirty days of the change or an error or inaccuracy is noted. A Licensee must inform the Commission of changes to the averment regarding bankruptcy proceedings instituted voluntarily or involuntarily within one business day of the institution of such proceedings.
 - c. Supplement this application in the event the Commission modifies the licensing requirements, or request further information.

- d. Agree that it will not present itself as a licensed retail supplier of electricity in the District of Columbia, sell or market services, accept deposits, prepayments, or contract with any end-use Customers without a license from the Commission.
- e. Pay all fees imposed by the Commission and any applicable taxes.
- f. Ensure that a copy of each service agreement entered into with Potomac Electric Power Company is provided to the Commission.
- g. Attend an Electricity Suppliers Education Workshop sponsored by the Commission.
- h. If certified, the Applicant shall institute a Privacy Protection Policy to protect against the unauthorized disclosure or use of information about a Customer or a Customer's use of service. A copy of that Policy shall be made available once a year, including any updates or changes, through electronic means or a hardcopy to the Customer and posted in a prominent place on each company's website.
- i. Abide by 15 DCMR § 308 and refrain from disclosing information about a Customer or the Customer's use of electricity or electric generation services without the Customer's written consent.
- j. Agrees to comply with 15 DCMR § 4602.12 Electric Company and Licensee Responsibilities in the event of a default after certification, and with the District of Columbia Electricity Supplier Coordination Tariff.

17. **AFFIDAVITS REQUIRED.** The Applicant must supply Affidavits of Tax Compliance and General Compliance to the Commission with the completed Application. The affidavits are included with this Application packet and must be executed by the Applicant or representative with authority to bind the Applicant in compliance with District of Columbia laws.

18. **FURTHER DEVELOPMENTS:** Applicant is under a continuing obligation to amend its application if substantial changes occur in the information upon which the Commission relied in approving the original filing.

19. **FEE:** The Applicant has enclosed the required fee of \$400.00.

Applicant: The Power Company USA LLC
 By: 
 Printed Name: Katie Widmar
 Title: CAO

AFFIDAVIT OF TAX COMPLIANCE

State of Texas

:
:
: SS
:

County of Tarrant

Arti Medina, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

That he/she is the CFO (office of Affiant) of The Power Company USA LLC (Name of Applicant);

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

The Power Company USA LLC That Company USA LLC the Applicant herein, certifies to the Public Service Commission of the District of Columbia ("Commission") that it is subject to, will pay, and in the past has paid, the full amount of District of Columbia and Federal taxes imposed by applicable statutes and ordinances, as may be amended from time to time. The Applicant acknowledges that failure to pay such taxes or otherwise comply with the taxation requirements of the District of Columbia, shall be cause for the Commission to revoke the license of the Applicant. The Applicant acknowledges that it shall provide to the Commission its jurisdictional Gross Receipts and revenues from retail sales in the District, for the previous year or as otherwise required by the Commission.

As provided by applicable Law, Applicant, by filing of this application waives confidentiality with respect to its tax information in the possession of the (appropriate taxing authority), regardless of the source of the information, and shall consent to the (appropriate taxing authority) providing that information to the Commission. The Commission shall retain such information confidentially. This does not constitute a waiver of the confidentiality of such information with respect to any party other than the Commission.

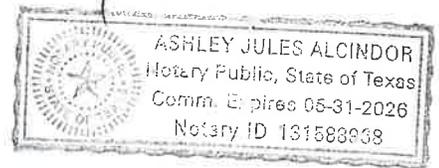
That the facts above set forth are true and correct to the best of his/her present knowledge, information, and belief after due inquiry and that he/she expects said Applicant to be able to prove the same at any hearing hereof.

Signature of Affiant [Signature]

Sworn and subscribed before me this 26th day of September, 2024

Signature of official administering oath [Signature]

My commission expires 05/31/2026



AFFIDAVIT OF GENERAL COMPLIANCE

State of Texas :
County of Tarrant : ss

Katie Wuman, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

He/she is the CEO (Officer/Affiant) of The Power Company USA LLC (Name of Applicant).

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

That the Applicant herein certifies to the Public Service Commission of the District of Columbia ("Commission") that:

The Applicant agrees to comply with the terms and conditions of Potomac Electric Power's Company's tariff and agreements.

The Applicant is in compliance with and agrees to comply with all applicable Federal and District of Columbia consumer protection and environmental laws and regulations, and Commissions regulations, fees, assessments, order and requirements.

If certified, the Applicant shall institute a Privacy Protection Policy to protect against the unauthorized disclosure or use of information about a Customer or a Customer's use of service. A copy of that Policy shall be made available once a year, including any updates or changes, through electronic means or a hardcopy to the Customer and posted in a prominent place on each company's website.

The Applicant also agrees to abide by 15 DCMR § 308 and refrain from disclosing information about a Customer or a Customer's use of service without the Customer's written consent.

Applicant agrees, upon request by the Commission, to provide copies to the Commission, of its consumer forms and/or contracts, its marketing or advertising materials (flyers and solicitation scripts), consumer pamphlets and its consumer education materials.

Applicant agrees to abide by any periodic reporting requirements set by the Commission by regulation, including any required periodic reporting to the (appropriate taxing authority).

The Applicant has obtained all the licenses and permits required to operate the proposed business in the District of Columbia.

The Applicant agrees to comply with power pool, control area, regional transmission operator, and/or ISO standards and requirements, as applicable.

The Applicant agrees that it shall neither disclose nor resell customer data provided to the Applicant by Potomac Electric Power Company.

The Applicant agrees, if the Commission approves its Application, to post an appropriate bond or other form of financial guarantee as required by the Commission and its regulations.

If the Applicant is certified, but later defaults, the Licensee/Supplier agrees to comply with 15 DCMR § 4602.12, Electric Company and Licensee Responsibilities in the event of a default, and with the District of Columbia Electricity Supplier Coordination Tariff.

The Applicant agrees, pursuant to the requirements of § 4603, to complete the Electricity Supplier Education Workshop sponsored by the Commission. Successful completion of the Workshop by the Licensee shall be evidenced by a certificate issued by the Commission.

The Applicant, including any of its Predecessor(s) and/or affiliate that engages in or engaged in the sale or transmission of electricity at wholesale or retail to the public, the general partners, company officials, corporate officers or directors, or limited liability company managers or officers of the Applicant, its predecessor(s) or its affiliates:

1. Has had no civil, criminal or regulatory sanctions or Penalties imposed against it within the previous five (5) years pursuant to any state or federal consumer protection law or regulations, has not been convicted of any fraud-related crime (including, but not limited to, counterfeiting and forgery, embezzlement and theft, fraud and false statements, perjury, and securities fraud) within the last five (5) years; and has not ever been convicted of a felony; or alternatively.
2. Has disclosed by attachment all such sanctions, penalties or convictions.

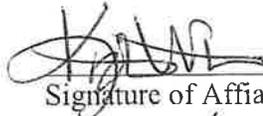
The Applicant further certifies that it:

1. Is not under involuntary bankruptcy/insolvency proceedings including but not limited to, the appointment of a receiver, liquidator, or trustee of the supplier, or a decree by such court adjudging the supplier bankrupt or insolvent or sequestering any substantial part of its property or a petition to declare bankruptcy as to reorganize the supplier; and
2. Has not filed a voluntary petition in bankruptcy under any provision of any Federal or state bankruptcy law, or its consent to the filing of any bankruptcy or reorganization petition against it under any similar law; or without limiting the generality of the foregoing, a supplier admits in writing its inability to pay its debt

generally as they become due to consent to the appointment of a receiver, trustee or liquidator of it or of all or any part of its property.

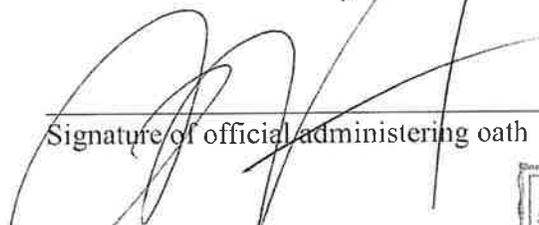
That Applicant possesses the requisite managerial and financial fitness to provide service at retail in the District of Columbia.

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



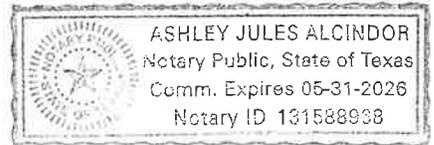
Signature of Affiant

Sworn and subscribed before me this 25 day of September, 2024



Signature of official administering oath

My commission expires 05/31/2026



VERIFICATION

State of Texas :
County of Tarrant : SS

Kati Widmar Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

He/she is the CAO (Officer/Affiant) of The Power Company USA LLC (Name of Applicant);

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

The Applicant understands that the making of a 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 all applicable sections of the District of Columbia Code as may be amended from time to time relating to perjury and falsification in official matters.

That the Applicant will supplement this Application in the event the Public Service Commission of the District of Columbia ("Commission") modifies the licensing requirements, or requests further information.

That the Applicant agrees that it will not present itself as a licensed retail supplier of electricity in the District of Columbia, sell or market electricity, accept deposits, prepayments, or contract with any end-use customers without a license from the Commission.

That the Applicant agrees to update information contained in this Application in accordance with the schedule set forth in the Application.

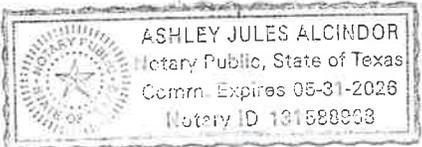
That the facts above set forth are true and correct to the best of his/her present knowledge, information, and belief after due inquiry and that he/she expects said Applicant to be able to prove the same at any hearing hereof.

[Signature]
Signature of Affiant

Sworn and subscribed before me this 26 day of September

[Signature]
Signature of official administering oath

My commission expires 05/31/2026



**APPLICANT'S GENERAL AUTHORIZATION FOR VERIFICATION OF
FINANCIAL INFORMATION, ETC.**

TO WHOM IT MAY CONCERN:

I/We have applied to the District of Columbia Public Service Commission (the "Commission") for a license to be an Electricity Supplier, or to provide certain Electricity Supply related services, and authorize you to release to the Staff of the Commission and its authorized representatives and agents any information or copies of records requested concerning:

MY COMPANY OR BUSINESS AND ITS HISTORY,
PERFORMANCE, OPERATIONS, CUSTOMER RELATIONS,
FINANCIAL CONDITION, INCLUDING BANK ACCOUNT
TRANSACTIONS AND BALANCES, PAYMENT HISTORY
WITH SUPPLIERS AND OTHER CREDITORS,
VERIFICATION OF NET WORTH AND OTHER
INFORMATION AND RECORDS WHICH THE COMMISSION
REQUIRES TO VERIFY OR MAKE INQUIRY CONCERNING
MY/OUR FINANCIAL INTEGRITY AND THE INFORMATION
CONTAINED IN MY/OUR LICENSE APPLICATION OR
OTHER INFORMATION PROVIDED BY ME/US TO THE
COMMISSION OR, STAFF OF THE COMMISSION OR ITS
REPRESENTATIVES OR AGENTS.

This Authorization is continuing in nature and includes release of information following issuance of a license, for reverification, quality assurance, internal review, etc. The information is for the confidential use of the Commission and the Staff of the Commission in determining my/our financial integrity for being a licensee or to confirm information I/We have supplied and may not be released by order of the Commission or by order of a court of competent jurisdiction.

A photographic or fax copy of this authorization may be deemed to be the equivalent of the original and may be used as a duplicate original. The original signed form is maintained by the Staff of the Commission.

APPLICANT'S AUTHORIZATION TO RELEASE INFORMATION:

The Power Company USA LLC (Kati Wladimir)
APPLICANT (please print)

Kati Wladimir
APPLICANT'S SIGNATURE

9/27/24
DATE

CEO
TITLE

ATTACHMENT D

**FORM OF INTEGRITY BOND
FOR AGGREGATORS AND BROKERS**

INTEGRITY BOND-SURETY BOND

Bond No. _____

We,

(Name of supplier)

(Address of supplier)

as principal, and

(Surety Company)

(Address of surety)

as surety authorized to do business in the District of Columbia, are held and firmly bound to the Public Service Commission of the District of Columbia, as obligee for the use and benefit of all persons establishing legal rights hereunder, in the sum of TEN THOUSAND 00/100 (\$10,000) lawful money of the United States of America, to the payments of which sum, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly, severally, and firmly by this document.

WHEREAS, the Principal has applied to the Public Service Commission of the District of Columbia for a license to provide electric service to retail customers in the District of Columbia, and

WHEREAS, pursuant to the Retail Electric Competition and Consumer Protection Act of 1999, the Public Service Commission of the District of Columbia is authorized to require the Principal to maintain a bond in order to provide retail electric service.

NOW, THEREFORE, if the Principal shall faithfully and truly fulfill all of its service or product contracts and other contractual commitments to deliver retail electric services, and not file for bankruptcy or for similar protection under law, then this obligation shall be void, otherwise to remain in full force and effect as security for the use of the Public Service Commission of the District of Columbia or of any person or entity, who after entering into a service or product contract or third party supplier agreement for service in the District of Columbia with the above named Principal is actually damaged or suffers any actual loss by reason of failure of service or by other breach or bankruptcy by this Principal.

The aggregate liability of the Surety is limited to the foregoing sum which shall be reduced by any payment made in good faith hereunder.

The term of this bond is for the period beginning _____ and terminating _____, and may be continued for an annual period by Continuation Certificate signed by the Principal and Surety, a copy of which must be served by registered mail upon the Secretary of the Public Service Commission of the District of Columbia.

In order to draw funds on this Bond, the Public Service Commission of the District of Columbia shall issue an order stating that the Licensee is financially insolvent or unable to meet its obligations as for restitution to any Licensee's Customer who has suffered actual damages or loss of a deposit or prepayment (as such terms defined in Sections 4604 and 4605 of Chapter 46 of Title 15 DCMR) in a specific amount by means of failure, or by reason of breach of contract or violation of the Retail Electric Competition and Consumer Protection Act of 1999, and/or regulations, rules or standards promulgated pursuant thereto.

SIGNED, SEALED AND DATED this _____ day of _____

Principal: _____

By: _____
(Signatory)

Surety: _____

Address of Surety: _____

By: _____
(Signatory)

Notary Seal

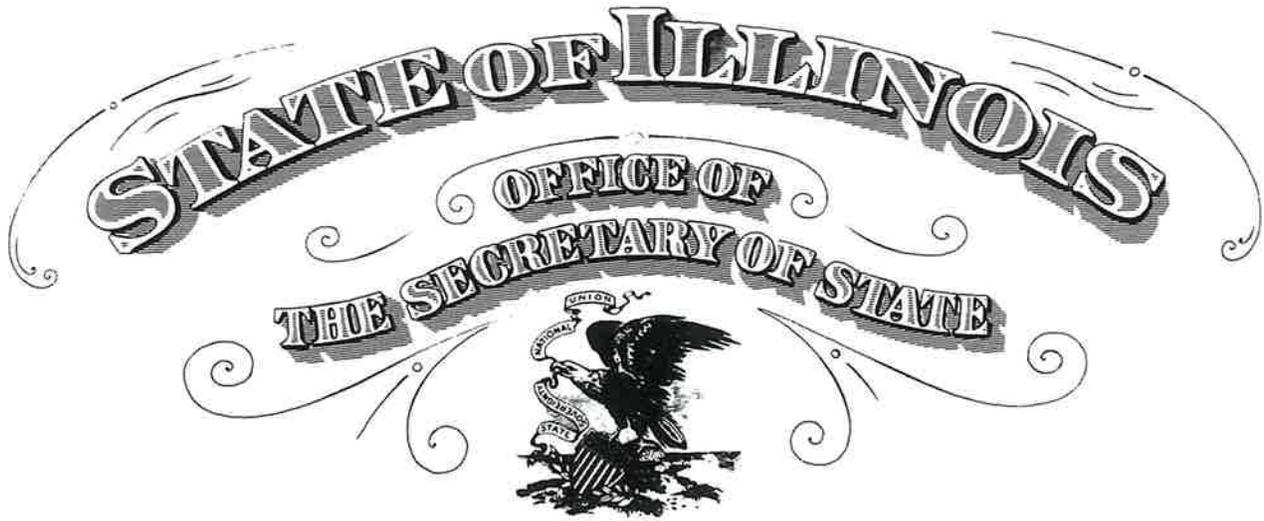
**APPLICATION FOR LICENSE TO SUPPLY ELECTRICITY
OR ELECTRIC GENERATION SERVICES TO THE PUBLIC IN THE
DISTRICT OF COLUMBIA**

THE POWER COMPANY USA, LLC

EXHIBIT A

File Number

0341250-4



To all to whom these Presents Shall Come, Greeting:

I, Alexi Giannoulas, Secretary of State of the State of Illinois, do hereby certify that I am the keeper of the records of the Department of Business Services. I certify that

THE POWER COMPANY USA, LLC, HAVING ORGANIZED IN THE STATE OF ILLINOIS ON NOVEMBER 29, 2010, APPEARS TO HAVE COMPLIED WITH ALL PROVISIONS OF THE LIMITED LIABILITY COMPANY ACT OF THIS STATE, AND AS OF THIS DATE IS IN GOOD STANDING AS A DOMESTIC LIMITED LIABILITY COMPANY IN THE STATE OF ILLINOIS.



In Testimony Whereof, I hereto set my hand and cause to be affixed the Great Seal of the State of Illinois, this 1ST day of OCTOBER A.D. 2024 .

Authentication #: 2427502756 verifiable until 10/01/2025
Authenticate at: <https://www.ilsos.gov>

Alexi Giannoulas
SECRETARY OF STATE

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF LICENSING AND CONSUMER PROTECTION
CORPORATIONS DIVISION



C E R T I F I C A T E

THIS IS TO CERTIFY that all applicable provisions of the District of Columbia Business Organizations Code have been complied with and accordingly, this ***CERTIFICATE OF REGISTRATION*** is hereby issued to:

The Power Company USA, LLC

Effective Date: 10/3/2024

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of this office to be affixed as of 10/3/2024 3:17 PM

Business and Professional Licensing Administration



Rebecca Janovich

REBECCA JANOVICH
Superintendent of Corporations,
Corporations Division

Muriel Bowser
Mayor

Tracking #: HMS1DwY6

**APPLICATION FOR LICENSE TO SUPPLY ELECTRICITY
OR ELECTRIC GENERATION SERVICES TO THE PUBLIC IN THE
DISTRICT OF COLUMBIA**

THE POWER COMPANY USA, LLC

EXHIBIT B

**Redacted In Its Entirety
for the Public Filing of
This Application**

**APPLICATION FOR LICENSE TO SUPPLY ELECTRICITY
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THE POWER COMPANY USA, LLC

EXHIBIT C

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THE POWER COMPANY USA, LLC

EXHIBIT D

Business Information Report Snapshot

POWER COMPANY USA, LLC, THE

ENCLIN, IL 60537-9575
 ADDRESS: 1701 E LA SALLE DR, CHICAGO, IL 60654, UNITED STATES
 Date: 09/09/2024

RISK ASSESSMENT

SCORES AND RATINGS

Max. Credit Recommendation	PAYDEX® SCORE	Delinquency Predictor Percentile	Financial Stress Percentile	Supplier Evaluation Risk Rating
US\$ 4,000	UN UNDETERMINED-RISK	9 HIGH RISK	39 MODERATE RISK	5 MODERATE RISK

MAXIMUM CREDIT RECOMMENDATION

Overall Business Risk

MODERATE-HIGH

Maximum Credit Recommendation

US\$ 4,000

The recommended limit is based on a moderate-high probability of severe delinquency.

Dun & Bradstreet Thinks...

- Overall assessment of this organization over the next 12 months: PAYMENT BEHAVIOR CONCERNS
- Based on the predicted risk of business discontinuation: AVERAGE RISK OF DISCONTINUED OPERATIONS OR BUSINESS INACTIVITY
- Based on the predicted risk of severely delinquent payments: VERY HIGH POTENTIAL FOR SEVERELY DELINQUENT PAYMENTS

PAYDEX® SUMMARY

3 Months

24 Months

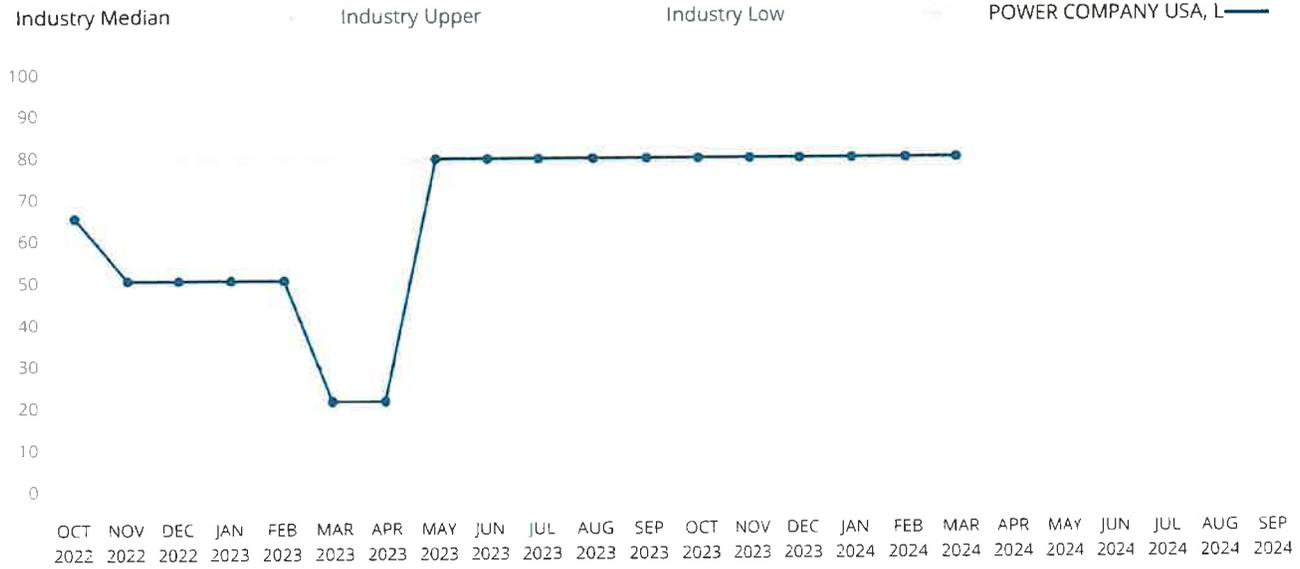
Based on a D&B PAYDEX[®] of UN

Risk of Slow Pay
UNDETERMINED

Payment Behavior
UNAVAILABLE

Business and Industry Trends

8748 - Business consulting services



DELINQUENCY PREDICTOR SCORE

9

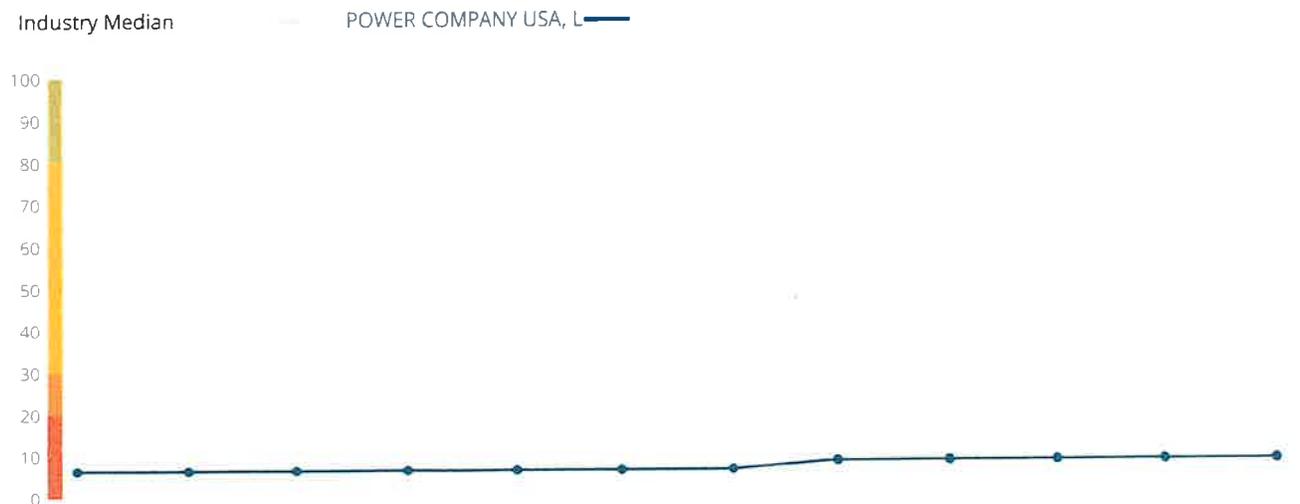
- Higher risk region based on delinquency rates for this region
- Limited number of satisfactory payment experiences
- Higher risk industry based on delinquency rates for this industry
- Evidence of open judgments
- Decreasing trend in reported number of payment experiences
- Evidence of open liens

Based on a D&B Delinquency Predictor Percentile of

Credit Profile: **HIGH**
 Total: 439
 % of Total Accounts: 15.75%
 Credit Risk: 10.2%

Business and Industry Trends

8748 - Business consulting services



FINANCIAL STRESS SCORE

39

UCC Filings reported
 Evidence of open suits, liens, and judgments
 Low proportion of satisfactory payment experiences to total payment experiences

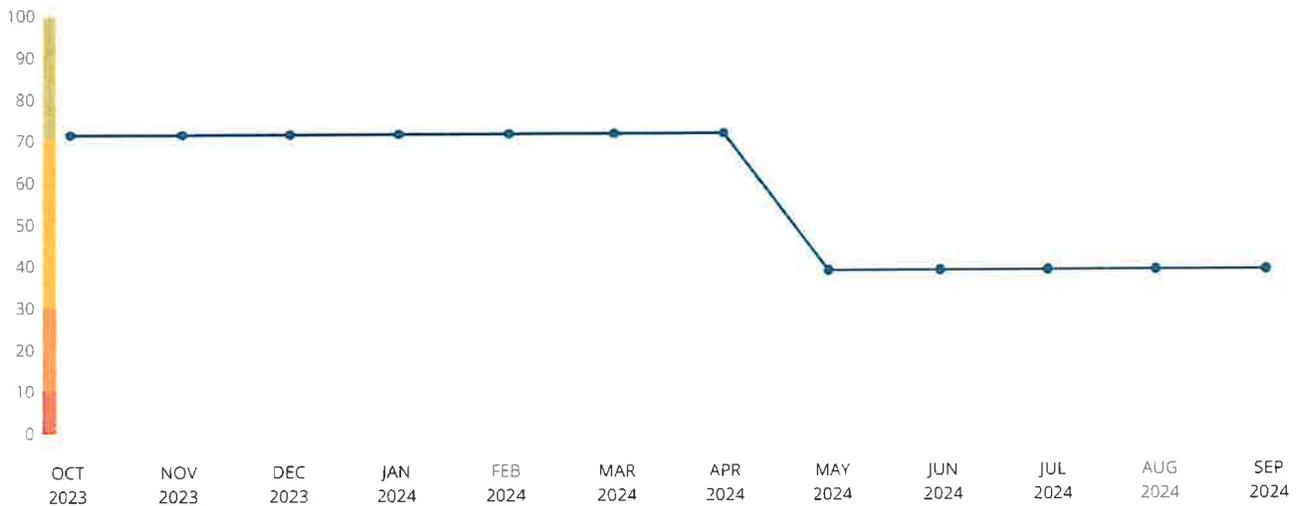
Based on a D&B Financial Stress Percentile of

MODERATE 1461 0.32% 0.48%

Business and Industry Trends

8748 - Business consulting services

Industry Median POWER COMPANY USA, L



SUPPLIER EVALUATION RISK RATING

5

Based on a Supplier Evaluation Risk Rating of

Factors Affecting Your Score

- Limited number of payment experiences reported
- Evidence of open liens
- Limited business activity signals reported in the past 12 months
- Business belongs to an industry with above average risk of ceasing operations or becoming inactive

Business and Industry Trends

8748 - Business consulting services

Supplier Evaluation Score

7



0

OCT 2023 NOV 2023 DEC 2023 JAN 2024 FEB 2024 MAR 2024 APR 2024 MAY 2024 JUN 2024 JUL 2024 AUG 2024 SEP 2024

D&B RATING

Special Rating

Special Rating

Special Rating

Risk Indicator

Risk Indicator

4: High Risk of Default

TRADE PAYMENTS

TRADE PAYMENTS SUMMARY

Based on 24 months of data

Overall Payment Behavior

UNAVAILABLE

Days Beyond Terms

% of Trade Within Terms

UNAVAILABLE

Highest Past Due

US\$ 0

Highest Now Owning: 0

Total Trade Experiences: 1

Largest High Credit: US\$ 500

Average High Credit: US\$ 500

Total Unfavorable Comments: 0

Largest High Credit: US\$ 0

Total Placed in Collections: 0

Largest High Credit: US\$ 0

TRADE PAYMENTS BY CREDIT EXTENDED

\$ CREDIT EXTENDED	% OF PAYMENTS WITHIN TERMS	# PAYMENT EXPERIENCES	TOTAL & DOLLAR AMOUNT
OVER 100,000	0%	0	\$0
50,000 - 100,000	0%	0	\$0
15,000 - 49,999	0%	0	\$0
5,000 - 14,999	0%	0	\$0
1,000 - 4,999	0%	0	\$0
UNDER 1,000	100%	1	\$500

TRADE PAYMENTS BY INDUSTRY

[Collapse All](#) | [Expand All](#)

Industry Category	Number of Payment Experiences	Largest High Credit (US\$)	% Within Terms (Expand to View)
73 - Business Services	1	500	
7361 - Employment Agency	1	500	100

TRADE LINES

Date of Experience	Payment Status	Selling Terms	High Credit (US\$)	Now Owes (US\$)	Past Due (US\$)	Months Since Last Sale
--------------------	----------------	---------------	--------------------	-----------------	-----------------	------------------------

10/2023	-	Cash Account	100	-	-	1 Month
03/2023	Prompt	-	500	0	0	Between 6 and 12 Months

EVENTS

LEGAL EVENTS

The following Public Filing data is for information purposes only and is not the official record. Certified copies can only be obtained from the official source.

SUITS		JUDGEMENTS		LIENS		UCC FILINGS	
TOTAL	1	TOTAL	1	TOTAL	1	TOTAL	6
LAST FILING DATE	01/31/2024	LAST FILING DATE	04/30/2019	LAST FILING DATE	01/07/2021	LAST FILING DATE	06/18/2024

General: The public record items contained in this report may have been paid, terminated, vacated or released prior to the date this was reported. This information may not be reproduced in whole or in part by any means of reproduction.

UCC Filings: There may be additional UCC Filings in the D&B file on this company which are available by contacting 1-800-234-3867.

Suits, Liens, Judgements: There may be additional suits, liens, or judgements in D&B's file on this company available in the U.S. Public Records Database that are also covered under your contract. If you would like more information on this database, please contact the Customer Resource Center at 1-800-234-3867.

Lien: A lien holder can file the same lien in more than one filing location. The appearance of multiple liens filed by the same lien holder against a debtor may be indicative of such an occurrence.

EVENTS

Judgment - Court Judgement

Filing Date	2019-04-30
Filing Number	19M1 703081
Status	Unsatisfied
Date Status Attained	2019-04-30
Received Date	2019-08-14
Award	119865
Debtors	POWER COMPANY USA LLC
Creditors	1165 PROPERTY OWNER LLC
Court	COOK COUNTY CIRCUIT COURT/1ST MUNICIPAL DIVISION, CHICAGO, IL

Lien - Tax Lien

Filing Date	2021-01-07
Filing Number	07690382
Status	Open
Date Status Attained	2021-01-07

Received Date	2021-01-26
Amount	6152
Debtors	THE POWER CO USA LLC
Creditors	IL DEPT OF REVENUE
Court	COOK COUNTY RECORDER OF DEEDS, CHICAGO, IL

Suit

Filing Date	2024-01-31
Filing Number	24LM 32
Status	Pending
Date Status Attained	2024-01-31
Received Date	2024-02-13
Amount	15000
Plaintiffs	FORD MOTOR CREDIT CO LLC
Defendant	POWER COMPANY US INC
Court	SANGAMON COUNTY CIRCUIT COURT, SPRINGFIELD, IL

UCC Filing - Original

Filing Date	2024-06-18
Filing Number	030820436
Received Date	2024-06-24
Secured Party	FIRST CORPORATE SOLUTIONS, AS REPRESENTATIVE, SACRAMENTO, CA
Debtors	THE POWER COMPANY USA, LLC
Filing Office	SECRETARY OF STATE/UCC DIVISION, SPRINGFIELD, IL

UCC Filing - Original

Filing Date	2020-08-14
Filing Number	026341698
Received Date	2020-08-23
Secured Party	U.S. SMALL BUSINESS ADMINISTRATION, BIRMINGHAM, AL
Debtors	THE POWER COMPANY USA LLC
Filing Office	SECRETARY OF STATE/UCC DIVISION, SPRINGFIELD, IL

UCC Filing - Original

Filing Date	2020-06-28
Filing Number	025868021

Received Date	2020-07-05
Secured Party	U.S. SMALL BUSINESS ADMINISTRATION, BIRMINGHAM, AL
Debtors	FARAH, PATRICK
Filing Office	SECRETARY OF STATE/UCC DIVISION, SPRINGFIELD, IL

UCC Filing - Original

Filing Date	2019-03-13
Filing Number	024212181
Received Date	2019-03-19
Collateral	All Assets and proceeds
Secured Party	SIEGLER FAMILY DECLARATION OF TRUST U/A DATED JULY 6, 2012, BOCA RATON, FL
Debtors	THE POWER COMPANY USA, LLC
Filing Office	SECRETARY OF STATE/UCC DIVISION, SPRINGFIELD, IL

UCC Filing - Original

Filing Date	2018-04-03
Filing Number	023253739
Received Date	2018-04-20
Collateral	Account(s) and proceeds - Assets and proceeds - Chattel paper and proceeds - General intangibles(s) and proceeds
Secured Party	CORPORATION SERVICE COMPANY, AS REPRESENTATIVE, SPRINGFIELD, IL
Debtors	THE POWER COMPANY USA, LLC
Filing Office	SECRETARY OF STATE/UCC DIVISION, SPRINGFIELD, IL

UCC Filing - Original

Filing Date	2018-02-21
Filing Number	023136406
Received Date	2018-03-06
Collateral	Account(s) and proceeds - Assets and proceeds - General intangibles(s) and proceeds - Chattel paper and proceeds
Secured Party	FIRST CORPORATE SOLUTIONS, AS REPRESENTATIVE, SACRAMENTO, CA
Debtors	THE POWER COMPANY USA, LLC
Filing Office	SECRETARY OF STATE/UCC DIVISION, SPRINGFIELD, IL

The following information was reported on: 06-29-2023

The Illinois Secretary of State's business registrations file showed that The Power Company Usa, LLC was registered as a Limited Liability Company in 2010.

Although this company operates as a limited liability company, the members have elected to use officer titles to denote areas of responsibility.

Business started 2010 by undetermined.

RECENT EVENTS:

On April 22, 2014, sources stated that The Power Company USA, LLC, Chicago, IL, a subsidiary of Premier Holding Corporation, Tustin, CA, announced that the company is increasing its Maryland presence by opening additional offices in the Baltimore area on January 23, 2014. Further details are unavailable.

ED JENKS. Antecedents not available.

KATIE WIDMAR. Antecedents not available.

RANDALL LETCABAGE. Antecedents are unknown.

Business address has changed from 214 W Ohio St Ste 3, Chicago, IL, 60654 to 1165 N Clark St Ste 400, Chicago, IL, 60610.

Business address has changed from 1165 N Clark St Ste 400, Chicago, IL, 60610 to 770 N La Salle Dr Ste 650, Chicago, IL, 60654.

SPECIAL EVENTS

06-16-2022

The Chief Executive Officer is now Katie Widmar, Mng Mbr.

12-26-2020

The Power Company USA LLC was reported by the SBA as a recipient of a Covid-19 EIDL loan for \$150,000 on 07/29/2020 under the Economic Injury Disaster Loan Program.

Financials

D&B currently has no financial information on file for this company.

COMPANY PROFILE

COMPANY OVERVIEW

D-U-N-S

02 237 1473

Mailing Address

1115 N. Carolina Dr Ste 200, Charlotte, NC 28204

Annual Sales

Business Form

LLC

Telephone

(704) 375-1473

Employees

Date Incorporated

Fax

Age (Year Started)

1998

State of Incorporation

NC

Website

-

Named Principal

ED ENKS, CEO

Ownership

Line of Business

Real Estate Brokerage

SIC

6800

OWNERSHIP

FAMILY TREE SUMMARY

Members in the Tree	Subsidiaries of this Company	Branches of this Company
4	3	0

FAMILY TREE



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EXHIBIT E

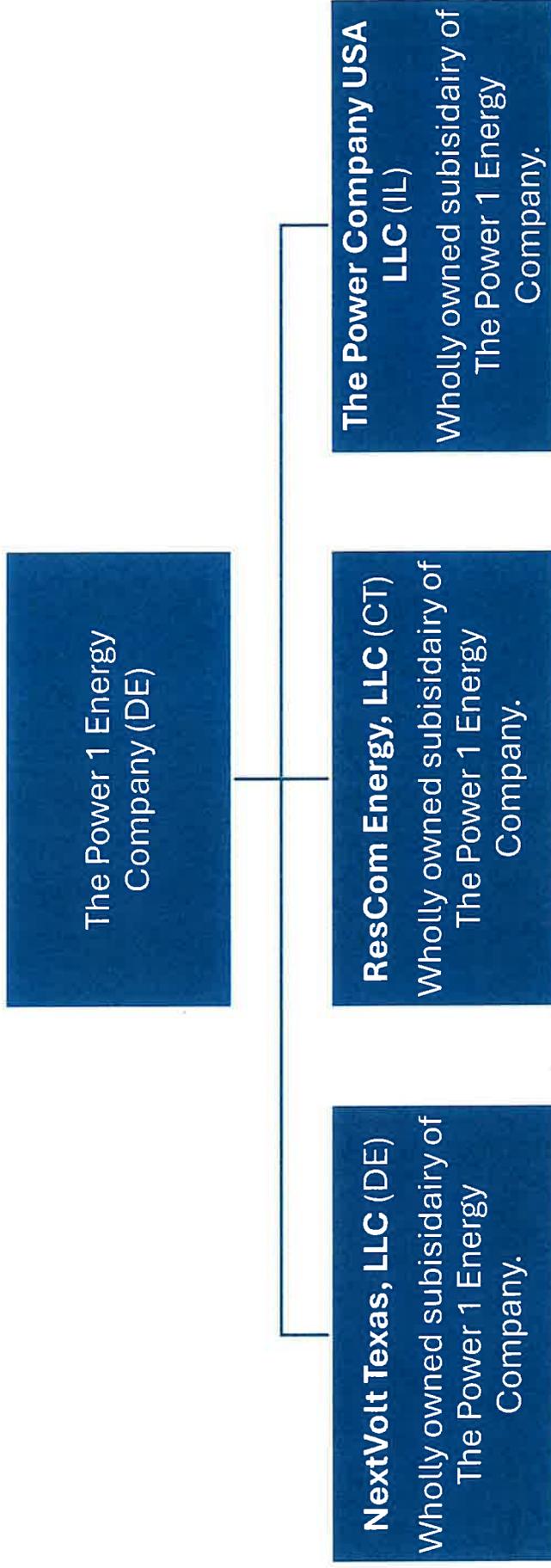
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EXHIBIT F

Exhibit F



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