

**Electric Load Aggregation Application Form**

This form may be used to: (1) apply for initial registration as an electric load aggregator in New Hampshire, (2) apply for renewal of registration as an electric load aggregator in New Hampshire, and (3) notify the Department of Energy of any changes to information in a previously filed electric aggregator application form. This form is provided as a convenience for filing only. You are required to provide all information specified under Puc 2006.02 when applying for initial or renewal registration as an electric aggregator, but you are not required to use this form when doing so.

Indicate whether this application is for an initial registration or for a renewal. Initial <input type="checkbox"/> Renewal <input checked="" type="checkbox"/>		
Applicant's General Information		
Puc 2006.02(a)	Legal Name	KOBIONA LLC
	Trade Name (d/b/a) (if applicable)	
Puc 2006.02(b)	Business Mailing Address	470 James St. Suite 007 New Haven CT 06513
	Telephone Number	844-209-7972
	E-Mail Address	jvissat@kobiona.com
	Website Address (if applicable)	www.kobiona.com
	Provide the name(s), title(s), business address(es), telephone number(s), and e-mail address(es) of the applicant, if an individual, or of the applicant's principal(s), <sup>1</sup> if the applicant is anything other than an individual. Use additional sheets if your response exceeds the space provided on the form.	
Puc 2006.02(c)	Name	Justin Vissat
	Title	Managing Partner
	Business Mailing Address	470 James St. Suite 007 New Haven CT 06513
	Telephone Number	203-544-2280
	E-Mail Address	jvissat@kobiona.com
	Name	Brian Choquette
	Title	Managing Partner
	Business Mailing Address	470 James St. Suite 007 New Haven CT 06513
	Telephone Number	203-544-2280
	Email Address	bchoquette@kobiona.com
	Name	
	Title	
	Business Mailing Address	
	Telephone Number	
	E-Mail Address	

1. "Principals" means, for a corporation, any of its officers, directors, or controlling shareholders, for a limited liability company, any of its managers or controlling members, for a partnership, any of its general partners, and for any other business entity, any of its personnel exercising executive functions and any of its controlling equity owners.

Customer Service Contact		
Puc 2006.02(d)	Name	Justin Vissat
	Title	Managing Partner
	Telephone Number	203-544-2280
	Toll-Free Telephone Number (if available)	844-209-7972
	E-Mail Address	customercare@kobiona.com

Customer Complaints Contact		
Puc 2006.02(e)(1)	Name	Justin Vissat
	Title	Managing Partner
	Business Mailing Address	470 James St. Suite 007
		New Haven CT 06513
	Telephone Number	844-209-7972
	E-Mail Address	customercare@kobiona.com

Regulatory Compliance Matters Contact		
Puc 2006.02(e)(2)	Name	Justin Vissat
	Title	Managing Partner
	Business Mailing Address	470 James St. Suite 007
		New Haven CT 06513
	Telephone Number	203-544-2280
	E-Mail Address	jvissat@kobiona.com

Department of Energy Assessment Payments Contact		
Puc 2006.02(e)(3)	Name	Justin Vissat
	Title	Managing Partner
	Business Mailing Address	470 James St. Suite 007
		New Haven CT 06513
	Telephone Number	203-544-2280
	E-Mail Address	jvissat@kobiona.com


Separate Attachments: Business Authority and Trade Name	
Puc 2006.02(f)	Provide, as a separate attachment, evidence of the applicant's authorization to do business in New Hampshire from the New Hampshire secretary of state by submitting either of the following: (1) a recent printout of the applicant's listing on the N.H. Secretary of State website with the status "In Good Standing" or words of similar import; (2) or a copy of a certificate from the N.H. Secretary of State's office stating that the applicant is authorized to do business in New Hampshire.
Puc 2006.02(g)	Provide, as a separate attachment, evidence of the applicant's registration of the trade name, if any, to be used by the applicant in New Hampshire from the New Hampshire secretary of state by submitting either of the following: (1) a recent printout of the applicant's trade name on the N.H. Secretary of State website with the status "Active" and indicating that the trade name is owned by the applicant; or (2) a copy of a certificate from the N.H. Secretary of State's office indicating that the applicant has registered as doing business under the trade name.

Statements Regarding Applicant and its Principals		
Please respond to each of the following questions with either "Yes" or "No."		
Puc 2006.02(h)(1)	Has applicant or any of its principals ever been convicted of any felony that has not been annulled by a court?	NO
Puc 2006.02(h)(2)	Has applicant or any of its principals, within the 10 years immediately prior to application, had any civil, criminal, or regulatory sanctions or penalties imposed against it, him, or her pursuant to any state or federal consumer protection law or regulation?	NO
Puc 2006.02(h)(3)	Has applicant or any of its principals, within the 10 years immediately prior to application, settled any civil, criminal, or regulatory investigation or complaint involving any state or federal consumer protection law or regulation?	YES
Puc 2006.02(h)(4)	Is applicant or any of its principals currently the subject of any pending civil, criminal, or regulatory investigation or complaint involving any state or federal consumer protection law or regulation?	NO
Puc 2006.02(h)(5)	Has applicant or any of its principals been denied authorization to provide competitive electricity supply service or electric aggregation service in any other state or jurisdiction?	NO
	If an affirmative answer is provided to any item above, then provide a detailed explanation of the occurrence and the related circumstances. Use additional sheets as needed.	See Attached

Other States		
Puc 2006.02(i)	Please list other states or jurisdictions in which the applicant currently conducts business relating to the aggregation of electric customers.	See Attached

Statement Regarding Supplier Representation		
Puc 2006.02(j)	Please respond to the following question with either "Yes" or "No." Is the applicant representing any supplier interest?	Yes
	If the response to the preceding question is "Yes," please list the supplier(s) represented. Use additional sheets if needed.	

Expected Marketing Start Date		
Puc 2006.02(k)	Provide the date upon which the applicant expects to commence marketing its services to customers in New Hampshire.	02/01/2024 Date

Attestation and Signature		
Puc 2006.02(l) and (m)	BY SIGNING BELOW, THE APPLICANT REPRESENTATIVE CERTIFIES THAT IT HAS THE AUTHORITY TO FILE THE APPLICATION ON BEHALF OF THE AGGREGATOR AND ATTESTS THAT THE CONTENTS OF THE APPLICATION ARE TRUTHFUL, ACCURATE, AND COMPLETE.	
	 Signature of the applicant or its authorized representative Name: <u>Justin Visser</u> Title: <u>Managing Partner</u>	02/01/2024 Date

Filing Instructions		
	1) Mail an original and two paper copies of this form and all separate attachments to: New Hampshire Department of Energy, 21 South Fruit St., Suite 10, Concord, NH 03301 2) E-mail a PDF of this form and all separate attachments to: <u>registrations@energy.nh.gov</u>	

## Electric Aggregation Application Form:

### **Other States:**

Connecticut, Massachusetts, Rhode Island, New York, Maryland, District of Columbia, Pennsylvania, Maine

### **Statement Regarding Supplier Representation:**

1. Constellation New Energy, Firstpoint Power, NRG Inc, Shell Energy, Engie Resources
2. Constellation New Energy, Firstpoint Power, NRG Inc, Shell Energy, Engie Resources

### **Statement Regarding Application and its Principles:**

**Illinois – PURA – Please see attached license being reinstated April 2024. This issue has been resolved.**

# State of New Hampshire

## Department of State

### CERTIFICATE

I, David M. Scanlan, Secretary of State of the State of New Hampshire, do hereby certify that KOBIONA LLC is a Connecticut Limited Liability Company registered to transact business in New Hampshire on March 28, 2016. I further certify that all fees and documents required by the Secretary of State's office have been received and is in good standing as far as this office is concerned.

Business ID: **741491**

Certificate Number: **0006561350**



IN TESTIMONY WHEREOF,

I hereto set my hand and cause to be affixed  
the Seal of the State of New Hampshire,  
this 1st day of February A.D. 2024.

A handwritten signature in black ink, appearing to read "D. Scanlan", is written over a faint circular stamp.

David M. Scanlan  
Secretary of State



ILLINOIS COMMERCE COMMISSION

November 16, 2023

Illinois Commerce Commission  
On Its Own Motion  
-vs-  
Kobiona LLC

23-0287

**SERVED ELECTRONICALLY**

Termination of Abandoned License.

NOTICE OF SERVICE

TO ALL PARTIES OF INTEREST:

I hereby certify, as Chief Clerk of the Illinois Commerce Commission, that on November 16, 2023, a copy of the Order of the Illinois Commerce Commission dated November 16, 2023, was served electronically on all parties on the service list.

Sincerely,

A handwritten signature in black ink that reads "Stephanie Cook".

Stephanie Cook  
Chief Clerk

/sc

**Service List**

Tanya M. Capellan  
Case Manager  
Office of Retail Market Development  
Illinois Commerce Commission  
160 N. LaSalle, Ste. C-800  
Chicago, IL 60601 \*  
tanya.capellan@illinois.gov

Daniel R. Coultas  
Administrative Law Judge  
Illinois Commerce Commission  
527 E. Capitol Ave.  
Springfield, IL 62701 \*  
daniel.coultas@illinois.gov

Justin P. Vissat  
Managing Partner  
KOBIONA LLC  
67 W. Main St., Ste. 412  
Clinton, CT 06413 \*  
jvissat@kobiona.com

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

Illinois Commerce Commission :  
On Its Own Motion :  
-vs- : 23-0287  
Kobiona LLC :  
Termination of Abandoned License. :

ORDER

By the Commission:

I. PROCEDURAL HISTORY

On April 5, 2023, the Illinois Commerce Commission (“Commission”) entered a Citation Order initiating the instant proceeding against Kobiona LLC (“Respondent”), regarding the termination of its Certificate of Service Authority to operate as an agent, broker, and consultant (“ABC”) in Illinois (“Certificate”). The Citation Order directed Respondent to show cause why the Commission should not terminate its Certificate.

Respondent received its Certificate from the Commission on May 13, 2019, in Docket No. 19-0380. Pursuant to its Certificate, Respondent was authorized to operate as an ABC for the procurement or sale of retail electricity supply for third parties in the State of Illinois.

In a Staff Report dated March 9, 2023, the Commission’s Office of Retail Market Development (“ORMD”) recommended the Commission terminate Respondent’s Certificate, unless Respondent appeared in the docket and showed cause why such action is not appropriate. The Staff Report noted that Respondent is not in compliance with the Public Utilities Act (“Act”) and the Commission’s rules as outlined in Attachment A to the Staff Report. Specifically, the Staff Report notes that the Respondent failed to file an Annual Report for 2021 and Designated Agent form and failed to maintain the ability to do business in Illinois.

Pursuant to notice as required by law and the rules and regulations of the Commission, a duly authorized Administrative Law Judge (“ALJ”) held a prehearing conference on April 27, 2023, via videoconference. Justin Vissat, one of the Respondent’s managing partners, appeared on behalf of the Respondent. Mr. Vissat explained that an office change, staff changes, and layoffs during the COVID-19 pandemic all contributed to the Respondent’s failure to file its Annual Report. Tr. at 6. Mr. Vissat noted that the Respondent has since hired staff, including a director of operations, to ensure future compliance. *Id.* at 7. Commission Staff (“Staff”) also appeared and confirmed at the hearing that Respondent had filed the outstanding report, was in good standing with the Secretary of State, and is now in compliance. However,



Staff added that due to Respondent's noncompliance, Staff maintains its recommendation that Respondent's Certificate of Service Authority should be suspended for one year.

A Proposed Order was issued on July 17, 2023. No exceptions were filed.

## II. COMMISSION ANALYSIS AND CONCLUSION

The Commission notes that according to the Act and Commission rules, all licensed ABCs must fulfill certain requirements as a condition of their certificate to operate in Illinois, including the filing of annual reports and license or permit bonds. See 83 Ill. Adm. Code 454 and 220 ILCS 5/16-115C. The continued timely filing of these documents is mandated by law and is essential for Commission oversight.

According to the Act, an appropriate suspension can be considered in accordance with Section 16-115C, which states in relevant part that "[f]or a first violation, the Commission may, in its discretion, suspend the license of the person so disciplined for a period of no less than one month." 220 ILCS 5/16-115C(g). Part 454.140 states that "[i]n determining whether to suspend the license of the licensee and the length of any suspension to be imposed the Commission shall consider whether the violation was deliberate or inadvertent, the harm or potential for harm to customers, and the effect or potential effect on competition." 83 Ill. Adm. Code 454.140(b).

The Commission finds that the Respondent has filed the necessary documents and is now in compliance with the Act and Commission rules. Despite the Respondent's subsequent compliance, this case cannot be dismissed. Rather, in determining an appropriate penalty, the Commission finds a four-month suspension to be reasonable. The Commission notes this suspension takes into consideration that this is the Respondent's first Citation Order since it received its Certificate on May 13, 2019. Therefore, the Respondent's Certificate of Service Authority to operate as an ABC should be suspended for a period of four months.

## III. FINDINGS AND ORDERING PARAGRAPHS

The Commission, having considered the entire record herein and being fully advised in the premises, is of the opinion and finds that:

- (1) Respondent was granted a license to operate as an ABC pursuant to 83 Ill. Adm. Code 454 and Section 16-115C of the Public Utilities Act;
- (2) the Commission has jurisdiction over Respondent and the subject matter herein;
- (3) Respondent appeared at the hearing and presented evidence that Respondent is now in compliance with the Public Utilities Act and the Commission's rules; and
- (4) Respondent's Certificate of Service Authority to operate as an ABC should be suspended for four months.

IT IS THEREFORE ORDERED by the Illinois Commerce Commission that the Certificate of Service Authority granted to Kobiona LLC in Docket No. 19-0380 is hereby suspended for four months.

IT IS FURTHER ORDERED that resolution of this proceeding does not relieve Kobiona LLC from the requirements of the Public Utilities Act to file reports or to pay any penalty for failure to do so.

IT IS FURTHER ORDERED that pursuant to Section 10-113(a) of the Public Utilities Act and 83 Ill. Adm. Code 200.880, any application for rehearing shall be filed within 30 days after service of the Order on the party.

IT IS FURTHER ORDERED that subject to the provisions of Section 10-113 of the Public Utilities Act and 83 Ill. Adm. Code 200.880, this Order is final; it is not subject to the Administrative Review Law.

By Order of the Commission this 16th day of November, 2023.

(SIGNED) DOUGLAS P. SCOTT

Chairman