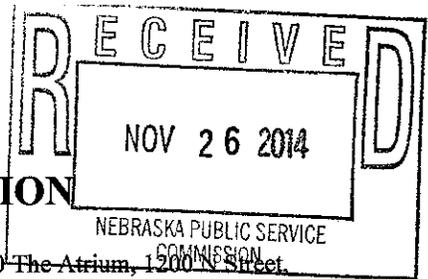


# NEBRASKA PUBLIC SERVICE COMMISSION



**COMMISSIONERS:**  
ANNE C. BOYLE  
FRANK E. LANDIS  
ROD JOHNSON  
TIM SCHRAM  
GERALD L. VAP



NEBRASKA PUBLIC SERVICE  
COMMISSION  
300 The Atrium, 1200 N Street  
Lincoln, NE 68508  
P.O. Box 94927,  
Lincoln, NE 68509-4927  
Website: [www.psc.nebraska.gov](http://www.psc.nebraska.gov)  
Phone: 402-471-3101  
Fax: 402-471-0254

NG-0080

**EXECUTIVE DIRECTOR:**  
STEVE MERADITH

**NEBRASKA CONSUMER HOTLINE:**  
1-800-526-0017

## COMPETITIVE NATURAL GAS PROVIDER APPLICATION

The Nebraska Public Service Commission shall certify all competitive natural gas providers (CNGPs) and aggregators providing natural gas services in Nebraska. See Neb. Rev. Stat. § 66-1849(1). Applicants seeking a certificate as a CNGP or aggregator must reasonably demonstrate managerial, technical, and financial capability sufficient to obtain and deliver the services the Applicant proposes to offer. See Neb. Rev. Stat. § 66-1849(1).

Filing requirements and the application process for a certificate to provide CNGP services are set forth in the Natural Gas and Pipeline Rules and Regulations at Neb. Admin. Code Title 291, Ch. 9 §§ 011.02. The Natural Gas and Pipeline Rules and Regulations can be found at <http://www.psc.nebraska.gov/rules/rules.html> or by contacting the Commission.

The following is for informational purposes only, and intended only to assist Applicants in the completion of their application for authority. If any difference exists between this form and any law, regulation or case law, then such law, regulation or case law shall control.

Applicants seeking a certificate as a competitive natural gas provider or aggregator in Nebraska shall submit an **original and eight (8) copies of the application** and a **\$200 application fee** to:

Executive Director  
Nebraska Public Service Commission  
300 The Atrium, 1200 N Street  
P.O. Box 94927  
Lincoln, NE 68509-4927

The application fee is required to cover the administrative costs of accepting and processing a filing. In addition, each Applicant may be assessed additional costs and expenses reasonably attributable to certification and dispute resolution consistent with Neb. Rev. Stat. § 66-1849.

Applicants **must notify** the Commission during the pendency of the certification request of any material change in the representations and commitments required by this subsection **within 14 days** of such change. Any new legal actions or formal complaints are considered material changes in the request. Once certified, CNGPs must notify the Commission of any material change in the representations and commitments required for certification **within 14 days** of such change.

Questions should be directed to the Director of the Natural Gas Department of the Nebraska Public Service Commission at (402) 471-3101.

**General Information**

Provide the following general information regarding Applicant.	
Company Name:	Archer Energy, LLC, DBA Archer Natural Gas Services, LLC
Address:	4145 Powell Rd, Powell OH 43065
Telephone No.:	614-312-4380
Fax No.:	614-312-4380
Website:	www.archerenergyllc.com
24HR Telephone No:	614-582-7063
Contact Name (Regulatory):	Andy Mitrey
Address:	4145 Powell Rd, Powell OH 43065
Telephone No.:	614-582-7063
Fax No.:	614-582-7063
E-mail Address:	amitrey@archerenergyllc.com
Contact Name (Legal):	Andy Mitrey
Address:	4145 Powell Rd, Powell OH 43065
Telephone No.:	614-582-7063
Fax No.:	614-582-7063
E-mail Address:	amitrey@archerenergyllc.com

Provide a description of the business structure of Applicant:

Archer Energy LLC is a recently formed entity form by Andy Mitrey, a 20 year industry veteran. Mr. Mitrey was one of the owners of a large regional retail natural gas and electricity marketing company named Border Energy,nc., which was sold to IGS Energy in September 2014. While at Border Energy, Mr. Mitrey oversaw all of the entities day to day operations and was responsible for its dramatic growth. At the time of sale, Border Energy maintained a customer base of over 75,000 customers across three states.

**\*\*Attach evidence of authority to do business in Nebraska, certificates of registration by the Nebraska Secretary of State for all trade names under which the applicant will operate, and the applicant's state of incorporation**

**Officers**

Provide a list of the principal officers of Applicant who can provide information regarding operations in Nebraska:	
Name:	Andy Mitrey
Office/Title:	President
Address:	4145 Powell Rd, Powell OH 43065
Telephone No:	614-582-7063
Fax No:	614-582-7063
E-mail Address:	amitrey@archerenergyllc.com
Name:	Andrew Ernst
Office/Title:	Director
Address:	4145 Powell Rd, Powell OH 43065
Telephone No:	614-203-7075
Fax No:	614-203-7075
E-mail Address:	finance@archerenergyllc.com
Name:	Grant Christman
Office/Title:	Director
Address:	4145 Powell Rd, Powell OH 43065
Telephone No:	614-312-1814
Fax No:	614-312-1814
E-mail Address:	gasops@archerenergyllc.com

**Affiliates**

Identify all affiliates of Applicant engaged in the provision of competitive natural gas services in Nebraska or any other state:	
Affiliate Name:	None.
Contact Name:	
Address:	
Telephone No:	
Fax No:	
E-mail Address:	
Website:	
Affiliate Name:	
Contact Name:	
Address:	
Telephone No:	
Fax No:	
E-mail Address:	
Website:	
Affiliate Name:	
Contact Name:	
Address:	
Telephone No:	
Fax No:	
E-mail Address:	
Website:	

\*Attach additional page if necessary.

**Legal Actions and Complaints**

List all legal actions and formal complaints pertaining to the provision of competitive natural gas services filed against the applicant or its affiliates at a public utility regulatory body other than the Commission that were pending in the 12 months prior to the date of the request for certificate, including identification of the title and number of applicable proceedings and a copy of the final orders in such proceedings or the citation to the website where the text of the orders can be found.

None.

Identify any states and jurisdictions in which the applicant or an affiliate has had a license or certificate to supply competitive natural gas services suspended, revoked, or denied, or where the applicant has voluntarily withdrawn from providing service due to financial or operational reasons. Include identification of the title and number of any applicable proceedings and a copy of any final orders in such proceedings or the citation to the Website where the text of the orders can be found.

None.

**Operational Ability**

Provide a roster of officers and directors, a description of the professional backgrounds of Applicant's principal managerial and technical personnel, an operational flow chart, and a description of the Applicant's facilities and the services it intends to render. Attach additional Exhibits as needed.

See attached exhibits.

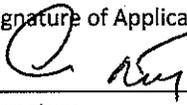
**Financial Capability**

At a minimum, Applicants are required to submit financial statements. The applicant must submit a balance sheet, statement of income, statement of cash flow, and, if applicable, a statement of shareholders' equity and the applicant's debt structure, including bond rating.

**Other Information**

Applicant should attach any further information that may assist the Commission in evaluating this application.

Signature of Applicant or Applicant's Attorney

  
\_\_\_\_\_  
Signature

**Andy Mitrey**  
\_\_\_\_\_  
Print Name

**President**  
\_\_\_\_\_  
Title

**11/24/14**  
\_\_\_\_\_  
Date

VERIFICATION

I, Andy Mitrey, being of proper age and duly sworn, states that I am the President of Applicant, that I have read the foregoing Application, that I am familiar with the contents thereof, and that such is true, accurate, and correct to the best of my knowledge.

*Andy Mitrey*

Signature

Andy Mitrey

Print Name

President

Title

STATE OF OH )  
COUNTY OF Franklin ) ss.

SUBSCRIBED AND SWORN to before me this 24<sup>th</sup> day of Nov, 2014.

Witness my hand and official seal.

*Sherry Headlee*  
Notary Public



**SHERRY J. HEADLEE**  
Notary Public, State of Ohio  
My Commission Expires  
September 11, 2016



UNITED STATES OF AMERICA  
STATE OF OHIO  
OFFICE OF THE SECRETARY OF STATE

*I, Jon Husted, do hereby certify that I am the duly elected, qualified and present acting Secretary of State for the State of Ohio, and as such have custody of the records of Ohio and Foreign business entities; that said records show ARCHER ENERGY, LLC, an Ohio For Profit Limited Liability Company, Registration Number 2335679, was organized within the State of Ohio on October 16, 2014, is currently in FULL FORCE AND EFFECT upon the records of this office.*



*Witness my hand and the seal of the Secretary of State at Columbus, Ohio this 25th day of November, A.D. 2014.*

*Jon Husted*

Ohio Secretary of State

Validation Number: 201432900511



DATE	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
10/17/2014	201428901517	ARTICLES OF ORGNZTN/DOM. PROFIT LIM.LIAB. CO. (LCP)	125.00	0.00	0.00	0.00	0.00

**Receipt**

This is not a bill. Please do not remit payment.

ARCHER ENERGY  
ATTN: ANDY MITREY  
9360 PINE CREEK  
POWELL, OH 43065

**STATE OF OHIO  
CERTIFICATE**

**Ohio Secretary of State, Jon Husted**  
2335679

It is hereby certified that the Secretary of State of Ohio has custody of the business records for

**ARCHER ENERGY, LLC**

and, that said business records show the filing and recording of:

Document(s)

**ARTICLES OF ORGNZTN/DOM. PROFIT LIM.LIAB. CO.**

Effective Date: 10/16/2014

Document No(s):

**201428901517**



United States of America  
State of Ohio  
Office of the Secretary of State

Witness my hand and the seal of the  
Secretary of State at Columbus, Ohio this  
17th day of October, A.D. 2014.

*Jon Husted*  
Ohio Secretary of State

# STATE OF NEBRASKA

United States of America,     } ss.  
State of Nebraska               }

Secretary of State  
State Capitol  
Lincoln, Nebraska

I, John A. Gale, Secretary of State of the  
State of Nebraska, do hereby certify that

**ARCHER NATURAL GAS SERVICES, LLC**

**a Ohio limited liability company, filed an Application for Certificate of  
Authority in this office on November 26, 2014 and is hereby authorized  
to transact business in the state of Nebraska as of the date of this certificate.**

In Testimony Whereof,

I have hereunto set my hand and  
affixed the Great Seal of the  
State of Nebraska on this date of  
**November 26, 2014**



A handwritten signature in black ink that reads "John A. Gale".

Secretary of State

## **Archer Overview and Key Roles**

Archer Energy, LLC was formed in late 2014 by Andy Mitrey. Prior to forming Archer Energy, Mr. Mitrey was the president of Border Energy, Inc., a certified provider of natural gas and electricity to residential and commercial customers across Indiana, Michigan and Ohio. Mr. Mitrey spent 10 years at Border Energy and oversaw all of its day to day operations and owned 25% of the company. Mr. Mitrey has spent time in all areas of the natural gas business. He purchased all of the natural gas and basis needs for their customers across three states, negotiated with suppliers for favorable terms, determined the company's mass marketing strategy and interacted with regulators on any regulatory issues. In early 2014, Mr. Mitrey's partner decided that he wanted to exit the business and Mr. Mitrey worked with investment bankers and potential purchasers to structure a deal that sold the company to IGS Energy. The sale closed in late September 2014.

Mr. Mitrey has more than 19 years of experience in the energy industry with 10 of them directly related to serving end use customers through a customer choice program. Prior to that Mr. Mitrey worked in the corporate risk department at American Electric Power where he oversaw the credit risk associated with the wholesale natural gas and trading operations. Mr. Mitrey is also extremely familiar with establishing banking relationships as prior to joining American Electric Power, he was a commercial loan officer for PNC Bank. In that capacity Mr. Mitrey provided loans to energy, metals and mining companies.

Mr. Mitrey has an undergraduate degree in accounting and an MBA from The Ohio State University.

**Grant Christman** – Mr. Christman served as the Vice President of Border Energy, Inc. overseeing Natural Gas operations and carrying the profit and loss responsibility for the business segment and reported to the President. In his role as Vice President, Mr. Christman oversaw all day-to-day natural gas operations including but not limited to asset valuation, pricing, contract negotiation and structuring, natural gas procurement, risk management, natural gas strategy, marketing efforts and regulatory oversight. Mr. Christman led a team of analysts, sales reps and IT/support personnel. Prior to his role as Vice President, Mr. Christman served as the Manager of Operations for Border Energy, Inc. In this capacity, Mr. Christman had hands on responsibility of running the day-to-day operations of the company, including scheduling on interstate pipelines and behind LDC's, storage injections and withdrawals, capacity releases and re-releases, load forecasting, and supply procurement. From his time with Border Energy, Inc. Mr. Christman has extensive experience with all aspects of running a retail natural gas company. Prior to joining Border Mr. Christman was an Investment Banker with KeyBanc Capital Markets where he focused on company due diligence and M&A strategy for multi-industrial companies. Mr. Christman graduated with degrees in Finance and Accounting from Ohio University.

**Andrew Ernst** – Mr. Ernst served as the Vice President of Finance and Shared Services for Border Energy, Inc. Mr. Ernst oversaw all the financial operations for all divisions of Border Energy Inc., including the Natural Gas and Electric Operations. In addition to his fiscal duties, Mr. Ernst directed the shared services of the Company, handling matters in HR, IT, Outsourced sales, and Customer Service. Mr. Ernst created the policies and procedures for the call center, customer complaint resolution, and also managed utility and commission complaints. Mr. Ernst originally started out at as an accountant with Border Energy. Prior to his time with Border Energy, Mr. Ernst was a consultant with a small local firm specializing in Government Finance. Mr. Ernst graduated with a Bachelor's Degree in Accounting from the Ohio State University, and is a Certified Public Accountant.