

**NEBRASKA PUBLIC SERVICE COMMISSION  
 COMPETITIVE NATURAL GAS PROVIDER (CNGP) APPLICATION  
 Neb. Rev. Stat. § 66-1849(1)**

**PURPOSE**

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

The Nebraska Public Service Commission shall certify all competitive natural gas providers (CNGPs) and aggregators providing natural gas services to retail end-users, including high volume ratepayers, 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.

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 to the Commission at the address below.

Executive Director  
 Nebraska Public Service Commission  
 300 The Atrium, 1200 N Street  
 P.O. Box 94927

Lincoln, NE 68509-4927

Applicants should include a \$200 application fee.

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 the application consistent with Neb. Rev. Stat. § 66-1840.

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) 471-0255.

**LEGAL ENTITY REQUIREMENTS (011.02A)**

List the Legal Name Under Which the Applicant will Operate:

**nTherm, LLC**

List the Applicant's State of Incorporation:

**Delaware**

Required Information (Check to Acknowledge Information is Attached to Form):

- Description of the Business Structure of the Applicant.
- 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.

For Commission's use:

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APPLICANT'S PRINCIPAL OFFICER(S) CONTACT INFORMATION (11.02B)		
Officer #1 Name and Title:		
<b>David Vastine</b>	<b>CFO</b>	
Officer #1 Address:		
3773 Cherry Creek N Dr Suite 575 Denver, CO 80209		
Officer #1 Phone Number:	Officer #1 Fax Number:	Officer #1 Email Address:
<b>303-641-7014</b>	<b>303-845-9609</b>	<b>dvastine@ntherm.com</b>
Officer #2 Name and Title:		
<b>Rhett C Shumway</b>	<b>CEO</b>	
Officer #2 Address:		
3773 Cherry Creek N Dr Suite 575 Denver, CO 80209		
Officer #2 Phone Number:	Officer #2 Fax Number:	Officer #2 Email Address:
<b>720-252-7090</b>	<b>303-845-9609</b>	<b>rshumway@ntherm.com</b>
Officer #3 Name and Title:		
<b>Karen L Simpson</b>	<b>CMO</b>	
Officer #3 Address:		
3773 Cherry Creek N Dr Suite 575 Denver, CO 80209		
Officer #3 Phone Number:	Officer #3 Fax Number:	Officer #3 Email Address:
<b>719-285-5155</b>	<b>303-845-9609</b>	<b>ksimpson@ntherm.com</b>
<input type="checkbox"/>	Check if a Supplemental List of Contact Information has been Attached, Noting Which Numbers at Which the CNGP Can Be Contacted 24 Hours Per Day.	

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**AFFILIATE INFORMATION (011.02C)**

Check if Applicant has an Affiliate(s) that is/are Certified Under Section 011 of the Nebraska Natural Gas and Pipeline Rules and Regulations.

If the Above Box is Checked, List the Name(s) and Address(es) of Applicant's Affiliate(s) Engaged in the Provisions of Competitive Natural Gas Service in Nebraska:

List the Name(s) and Address(es) of the Applicant's Affiliate(s) Engaged in the Provision of Competitive Natural Gas Services in Any Other State, Noting Which States:

**NEBRASKA PUBLIC SERVICE COMMISSION  
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**APPLICANT/AFFILIATE LEGAL AND COMPLAINT INFORMATION (011.02D)**

Check if Applicant has had Legal Action or a Formal Complaint(s) Pertaining to the Provisions of Competitive Natural Gas Service Filed Against the Applicant or its Affiliates at a Public Utility Regulatory Body Other than the Nebraska Public Service Commission that were Pending in the 12 Months Prior to this Request for Certificate.

If the Above Box is Checked, List the Title of Such Action(s) or Complaint(s), the Number(s) of Applicable Proceeding(s), and the Citation to the Website(s) where the Text of the Order(s) Can be Found:

Check if a Copy of the Final Order(s) is Attached, in Lieu of Website Citation(s).

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**APPLICANT/AFFILIATE CERTIFICATION SUSPENSION INFORMATION (011.02E)**

Check if Applicant or an Affiliate has had a License or Certificate to Supply Competitive Natural Gas Services Suspended, Revoked, or Denied.

If the Above Box is Checked, List the State(s) and Jurisdiction(s) in which a License(s) or Certificate(s) was/were Suspended, Revoked, or Denied, with Identification of Title(s) and Number(s) of Applicable Proceedings or the Citation(s) to the Website(s) where the Text of the Orders can be Found:

Check if Applicant or an Affiliate has Voluntarily Withdrawn from Providing Competitive Natural Gas Service Due to Financial or Operational Reasons.

If the Above Box is Checked, List the State(s) and Jurisdiction(s) in which the Applicant or an Affiliate has Voluntarily Withdrawn from Providing Service:

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<b>APPLICANT DEMONSTRATION OF FINANCIAL ABILITIES (011.02F)</b>	
Required Information (Check to Acknowledge Information is Attached to Form):	
<input checked="" type="checkbox"/>	Balance Sheet.
<input checked="" type="checkbox"/>	Statement of Income.
<input type="checkbox"/>	Statement of Cash Flow.
<input type="checkbox"/>	If Applicable, Statement of Shareholder's Equity.
<input type="checkbox"/>	If Applicable, Description of Applicant's Debt Structure, Including Bond Rating.

<b>APPLICANT DEMONSTRATION OF OPERATIONAL ABILITIES (011.02F)</b>	
Required Information (Check to Acknowledge Information is Attached to Form):	
<input checked="" type="checkbox"/>	Roster of Officers and Directors.
<input checked="" type="checkbox"/>	Description of the Professional Backgrounds of the Applicant's Principal Managerial and Technical Personnel.
<input checked="" type="checkbox"/>	Operational Flow Chart.
<input checked="" type="checkbox"/>	Description of the Applicant's Facilities and the Services it Intends to Render.
<p>A request for confidential treatment for this information may be filed with the Commission, pursuant to Nebraska Administrative Code, Title 291, Chapter 9, Rule 006.</p> <p><a href="http://www.sos.ne.gov/rules-and-regs/regsearch/Rules/Public_Service_Commission/Title-291/Chapter-09.pdf">http://www.sos.ne.gov/rules-and-regs/regsearch/Rules/Public_Service_Commission/Title-291/Chapter-09.pdf</a></p>	

<b>FILING REQUIREMENTS (011.02G)</b>	
Required Information (Check to Acknowledge Information is Attached to Form):	
<input checked="" type="checkbox"/>	An Original of the Application Form and Attachments, Along with Eight (8) Copies for Commission Use
<input checked="" type="checkbox"/>	The Application Fee, Unless Submitted Online, which Covers the Administrative Cost of Accepting and Processing this Filing

<b>NOTIFICATION REQUIREMENTS (011.02H)</b>	
<p>Applicant must notify the Commission during the pendency of the certification request of any material change in the representation and commitments required by Section 011 within 14 days of such change. Any new legal actions or formal complaints are considered material changes in the request.</p> <p>Once certified, the CNGP must notify the Commission of any material change in the representations and commitments required for certification with 14 days of such change.</p>	

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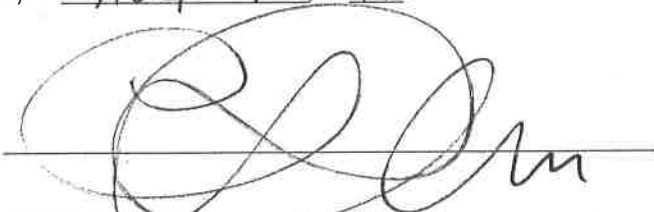
COMPANY REPRESENTATIVE SUBMITTING APPLICATION	
Name:	Karen L Simpson
Title:	CMO
Signature of Applicant or Applicant's Attorney (Print completed PDF form and sign): 	
Date:	8.15-17

STATE OF ~~NEBRASKA~~ <sup>COLORADO</sup> )  
COUNTY OF DENVER ) ss.

SUBSCRIBED AND SWORN to before me this 15<sup>th</sup> day of AUGUST, 2017.

Witness my hand and official seal.

CHRISTOPHER ANDERSON  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20124002452  
MY COMMISSION EXPIRES FEB 24, 2020

  
Notary Public