

NG-108

PUBLIC VERSION

HealthTrust Purchasing Group, L.P.

Application for Competitive Natural Gas Provider Authority

**RECEIVED**

*By Deena Ackerman at 10:23 am, Apr 28, 2020*

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of )  
 HealthTrust Purchasing Group, L.P. )  
 ) APPLICATION FOR  
 ) COMPETITIVE NATURAL GAS  
 seeking authority to operate as a ) PROVIDER AUTHORITY  
 Competitive Natural Gas )  
 Provider State of Nebraska. )  
 )

Pursuant to Neb. Rev. Stat. §§ 66-1848 and 66-1849, and 291 Neb. Admin. Code § 9-011, HealthTrust Purchasing Group, L.P. ("Applicant") seeks authority from the Nebraska Public Service Commission ("Commission") to operate as a Competitive Natural Gas Provider ("CNGP") within the State of Nebraska. In support of its application, Applicant provides the following information:

**Neb. Rev. Stat. § 66-1848**

The Applicant intends to conduct the following type of business in Nebraska, for which it is seeking certification:

- CNGP only
- CNGP and Aggregator
- Aggregator only

**291 Neb. Admin. Code § 9-011.02A**

1. The Applicant's full legal name, and any trade names under which the Applicant will operate in Nebraska, are as follows:

HealthTrust Purchasing Group, L.P.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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Commission Use Only

2. The Applicant is (check one):

A publically owned corporation and a copy of its most recent Annual Report to Shareholders is attached as an Exhibit to this application.

A privately held corporation.

3. The name of the Parent Company of the Applicant is:

HPG Enterprises, LLC, General Partner

4. Insert a description of the business structure of the Applicant. An organizational chart is attached to this application as Exhibit Number 1.

Applicant is a limited partnership. HCA Healthcare, Inc. is the sole owner of the general partner of Applicant, HPG Enterprises, LLC, through indirect, wholly owned subsidiaries.

5. The Applicant is legally certified to conduct business in the State of Nebraska. Evidence of the Applicant's registration and authority to conduct business in Nebraska by the Nebraska Secretary of State for all trade names under which Applicant will operate is attached to this application as Exhibit Number 2.

6. The Applicant is incorporated in the following state:

Delaware.

7. The address of Applicant's headquarters is:

1100 Dr. Martin L. King Jr. Blvd.

Suite 1100

Nashville, TN 37203

**NOTE: THIS DOCUMENT IS FOR REFERENCE PURPOSES ONLY AND IS NOT INTENDED TO BE FILED WITHOUT ADDITIONAL EDITING.**

8. The individual to which any questions regarding this application should be addressed is:

Name: Dave McMillan

Title: Director

Address: 1100 Dr. Martin L. King Jr. Blvd.  
Suite 1100  
Nashville, TN 37203

Phone number: (615) 344-3404

Email address: dave.mcmillan@healthtrustpg.com

**291 Neb. Admin. Code § 9-011.02B**

9. A document listing the names, business addresses, business telephone numbers, and business email addresses of the principal officers of the Applicant who can be contacted regarding its operations in Nebraska is attached as Exhibit Number 3.

10. A telephone number(s) at which the Applicant can be contacted 24 hours a day is as follows:

888-222-1172

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**291 Neb. Admin. Code § 9-011.02C**

11. Applicant hereby lists the names and addresses of all the Applicant's affiliates (including parent entities) engaged in the provision of Competitive Natural Gas and/or Aggregator Service in any other state or jurisdiction and indicate which, if any, are duly certificated in Nebraska:

None

12. The following is a complete and accurate list of the jurisdictions in which the Applicant or one of its affiliates are certificated to operate as a competitive natural gas provider and/or aggregator:

District of Columbia

Iowa

Maine

Maryland

Massachusetts

New Hampshire

New Jersey

Ohio

Pennsylvania

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291 Neb. Admin. Code § 9-011.02D

13. The following is an complete and accurate list of all legal actions and/or formal complaints pertaining to the provision of competitive natural gas services filed against the Applicant or its affiliates in a court or public utility regulatory body, other than the Nebraska Commission, that were pending in the 12 months prior to the date of this application.

*Note: Please include number of such proceedings, the type of proceeding, the jurisdiction where such action occurred, and the current status of any applicable proceeding(s).*

None.

14. A copy of each of the final orders in the above-listed proceedings are attached to this application as Exhibit Number n/a .

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**291 Neb. Admin. Code § 9-011.02E**

15. The following is a complete and accurate list of the states and jurisdictions in which the Applicant or an affiliate has had a license or certificate to supply competitive natural gas service suspended, revoked, or denied, or where the Applicant or affiliate voluntarily withdrew from providing CNGP or aggregator service.

*Note: Applicant must include identification of the title and number of any applicable proceedings.*

None.

16. A copy of any final orders in such proceedings or the citation to the website where the text of the orders can be found is attached as Exhibit Number n/a.

**291 Neb. Admin. Code § 9-011.02F**

17. Applicant presents the following to demonstrate it has the operational and financial capability to obtain and deliver the services it proposes to offer.

- a. Financial capability. 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 are attached as Exhibit Number 4.

***NOTE: A request for confidential treatment of these materials may be filed with the Commission pursuant to 291 Neb. Admin. Code § 9-006.***

- b. Operational ability. A roster of officers and directors, a description of the professional backgrounds of the

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Applicant's principal managerial and technical personnel, and an operational flow chart are attached to this application as Exhibit Number 5.

18. The Applicant sets forth the following description of the Applicant's facilities and services it intends to render in Nebraska:

Applicant proposes to negotiate for the purchase of natural gas on behalf of its member hospitals and other healthcare providers in the State of Nebraska from third-party competitive suppliers licensed by the State. Each member will directly purchase natural gas from the third-party licensed supplier, and remit payment directly to the natural gas distribution company or third-party licensed supplier, as applicable. Applicant will not take title to the natural gas. The customer class to be served would be commercial and/or industrial throughout the State of Nebraska.

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**ATTESTATIONS**

19. Applicant hereby commits to comply with all applicable statutes, regulations, and orders in its provision of CNGP and aggregation services within the State of Nebraska. Applicant understands that if granted CNGP or aggregator authority, it will be required to file an annual report with the Commission.
20. Applicant hereby acknowledges that any inaccuracies, misstatements of fact, or falsehoods within this application may result in the denial and/or revocation of CNGP or aggregator authority by the Commission.
21. Applicant acknowledges that if it is granted CNGP or aggregator authority, a failure to comply with applicable statutes, regulations, and orders may result in fines and/or the revocation of the authority granted.

The Applicant respectfully requests that the Commission grant its Application for authority to provide CNGP services within the State of Nebraska.

Respectfully submitted,



Signature

Printed Name: Michael Berryhill

Title: Vice President of HPG Enterprises, LLC, GP of HealthTrust Purchasing Group, L.P.

Mailing Address: 1100 Dr. Martin L. King, Jr. Blvd., Suite 1100

Nashville, TN 37203

Phone Number: (615) 344-3000

Email Address: dave.mcmillan@healthtrustpg.com

Date: 10 April 2020

**NOTE: THIS DOCUMENT IS FOR REFERENCE PURPOSES ONLY AND IS NOT INTENDED TO BE FILED WITHOUT ADDITIONAL EDITING.**

STATE OF Tennessee )  
 ) ss.  
COUNTY OF Davidson )

I, Laura Benson, a notary duly commissioned in Davidson County, Tennessee, hereby swear and acknowledge that on the 10th day of April, 2020, Michael Berryhill, who is personally known to me and who provided satisfactory identification pursuant to Neb. Rev. Stat. § 64-105, came under oath and signed the foregoing document in my presence.

SUBSCRIBED AND SWORN to before me this 10th day of April, 2020.

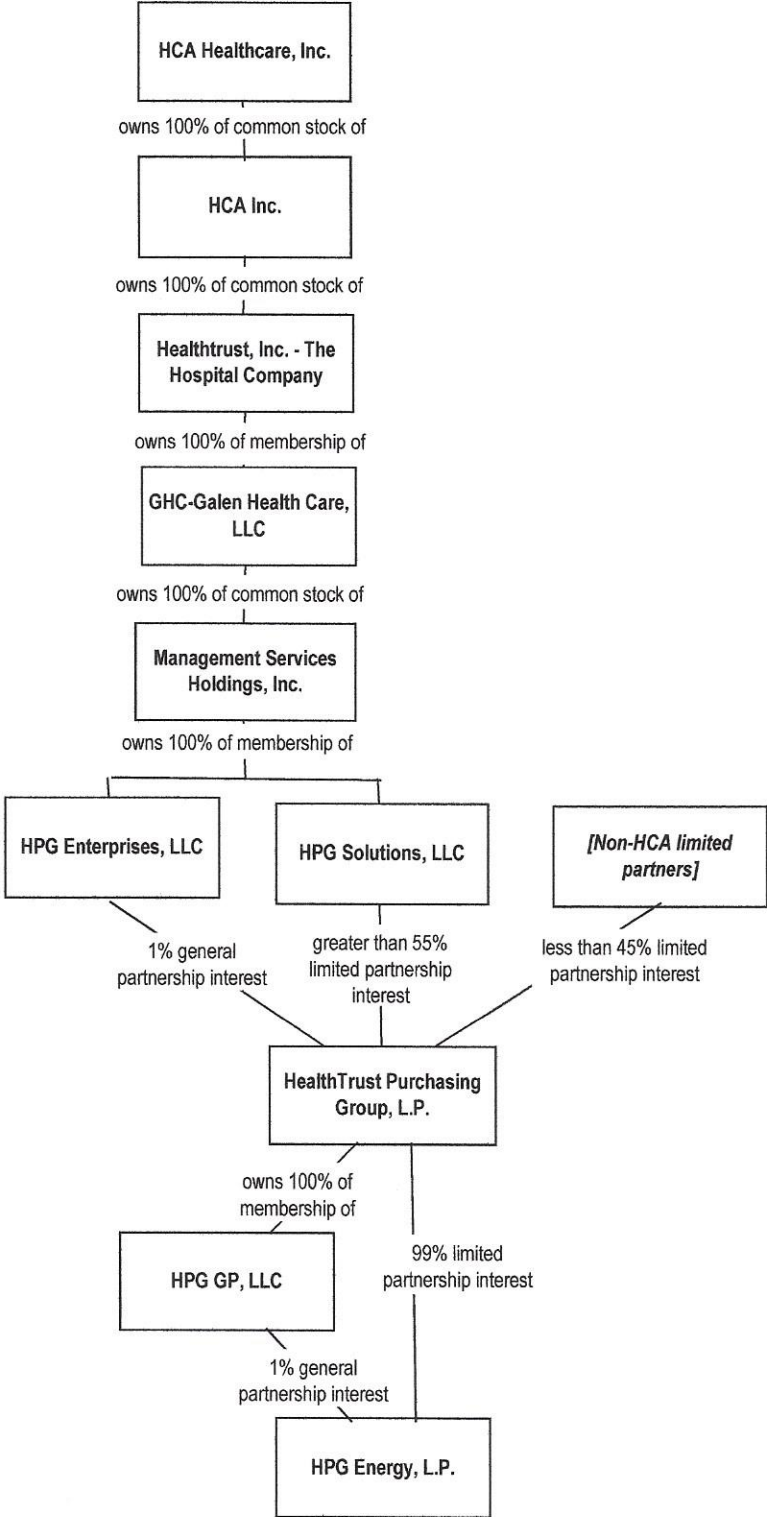
Laura Benson  
Notary Public



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**NEBRASKA NATURAL GAS AGGREGATOR APPLICATION  
EXHIBIT 1: ORGANIZATIONAL CHART**

**HEALTHTRUST PURCHASING GROUP, L.P.**



**NEBRASKA NATURAL GAS AGGREGATOR APPLICATION  
EXHIBIT 2: BUSINESS REGISTRATION**

**HEALTHTRUST PURCHASING GROUP, L.P.**

Attached are copies of the following documents to support HealthTrust Purchasing Group, L.P.'s authorization to conduct business in Nebraska:

- A. A certificate issued by the Nebraska Secretary of State dated April 7, 2020 certifying that HealthTrust Purchasing Group, L.P., a Foreign Limited Partnership filed a Registration of Foreign Limited Partnership on December 16, 2011 and is authorized to transact business in Nebraska.
- B. Certificate of Registration to transact business in Nebraska as a foreign limited partnership, issued for HealthTrust Purchasing Group, L.P., a limited partnership organized under the laws of Delaware.

# STATE OF NEBRASKA

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

Secretary of State  
State Capitol  
Lincoln, Nebraska

I, Robert B. Evnen, Secretary of State of the  
State of Nebraska, do hereby certify that

## HEALTHTRUST PURCHASING GROUP, L.P.

**a(n) Delaware Limited Partnership filed a Registration of Foreign Limited Partnership in this office on December 16, 2011.**

**I further certify that said Limited Partnership is authorized to transact business in this state as of this date.**

*This certificate is not to be construed as an endorsement,  
recommendation, or notice of approval of the entity's financial  
condition or business activities and practices.*

In Testimony Whereof,



I have hereunto set my hand and  
affixed the Great Seal of the  
State of Nebraska on this date of

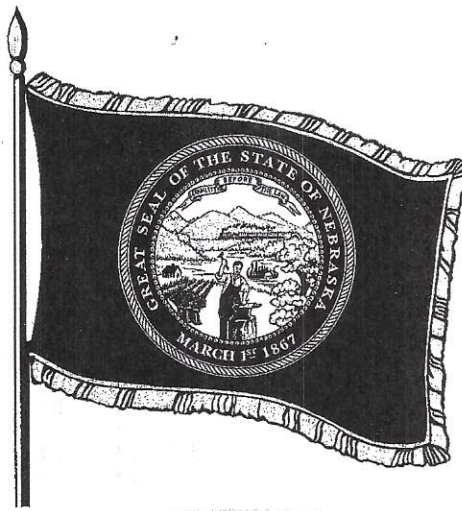
April 7, 2020

A handwritten signature in black ink that reads "Robert B. Evnen".

Secretary of State

STATE OF

NEBRASKA



United States of America,  
State of Nebraska } ss.

Department of State  
Lincoln, Nebraska

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

the attached is a true and correct copy of the Registration of a Foreign Limited Partnership for

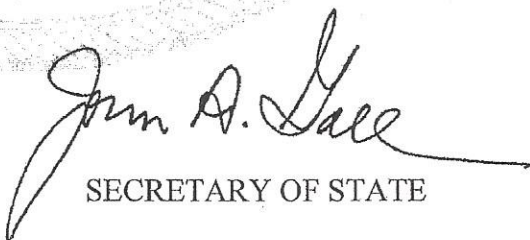
**HEALTHTRUST PURCHASING GROUP, L.P.**

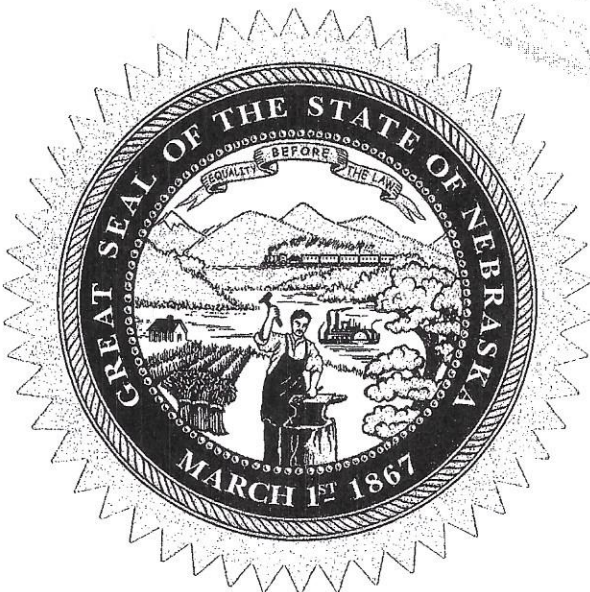
a Delaware limited partnership, as filed in this office on December 16, 2011.

I further certify that said limited partnership is hereby authorized to transact business in the State of Nebraska as a foreign limited partnership.

In Testimony Whereof,

I have hereunto set my hand and affixed the Great Seal of the State of Nebraska on December 16, 2011.

  
SECRETARY OF STATE



This certificate is not to be construed as an endorsement, recommendation, or notice of approval of the entity's financial condition or business activities and practices.

# REGISTRATION OF FOREIGN LIMITED PARTNERSHIP TO TRANSACT BUSINESS

Submit in Duplicate

John A. Gale, Secretary of State  
Room 1301 State Capitol, P.O. Box 94608  
Lincoln, NE 68509  
(402) 471-4079  
<http://www.sos.state.ne.us>



Name of Limited Partnership Healthtrust Purchasing Group, L.P.

Organized under the laws of Delaware

Date of Formation 04/28/1999

Address of Principal Office One Park Plaza - Legal Dept. Nashville TN 37203  
Address City State Zip

Registered Agent Name: CT Corporation System

Registered Office: 1024 K Street, Lincoln NE 68508  
Street Address and post office box number (if any) City State Zip

Name and Mailing Addresses of each of the General Partners:  
HPG Enterprises, LLC One Park Plaza Nashville TN 37203  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Signature of One General Partner Required

State of TN

County of Davidson

Dora A. Blackwood being duly sworn on oath deposes and says that he/she is the  
Vice President and Secretary of the below named general partner and that he/she has read  
this application and knows the contents to be true as he/she believes.

HPG Enterprises, LLC By: Dora A. Blackwood  
General Partner Signature  
Dora A. Blackwood Vice president and secretary

Subscribed and sworn to before me this 14th day of December, 20 11

seal



Margaret C Estill  
Notary Public My Commission Expires: 01-09-

FILING FEE \$215.00  
Revised 7/18/2008

Neb. Rev. Stat. 67-281

**NEBRASKA NATURAL GAS AGGREGATOR APPLICATION  
EXHIBIT 3: PRINCIPAL OFFICERS**

**HEALTHTRUST PURCHASING GROUP, L.P.**

Directors of Applicant:

Dave McMillan	Bill Miller
Director, Energy	Director, Energy
1100 Dr. Martin L. King Jr. Blvd., Suite 1100	1100 Dr. Martin L. King Jr. Blvd., Suite 1100
Nashville, TN 37203	Nashville, TN 37203
(615) 344-3000	(615) 344-3000
<a href="mailto:dave.mcmillan@healthtrustpg.com">dave.mcmillan@healthtrustpg.com</a>	<a href="mailto:bill.miller@Healthtrustpg.com">bill.miller@Healthtrustpg.com</a>
Alicia Rye	
Director and Interim Team Lead, Energy	
1100 Dr. Martin L. King Jr. Blvd., Suite 1100	
Nashville, TN 37203	
(615) 344-3000	
<a href="mailto:alicia.rye@healthtrustpg.com">alicia.rye@healthtrustpg.com</a>	



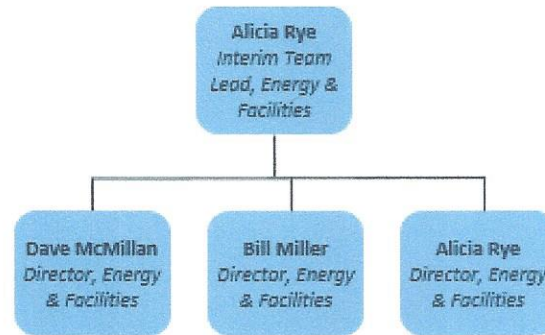
**NEBRASKA NATURAL GAS AGGREGATOR APPLICATION  
EXHIBIT 4: FINANCIAL CAPABILITY**

**HEALTHTRUST PURCHASING GROUP, L.P.**

***CONFIDENTIAL  
AND FILED UNDER SEAL***

**NEBRASKA NATURAL GAS AGGREGATOR APPLICATION  
EXHIBIT 5: OPERATIONAL ABILITY**

**HEALTHTRUST PURCHASING GROUP, L.P.**



Applicant hereby submits information and the resumes of key technical staff as evidence of HealthTrust's technical ability to provide natural gas aggregator services to its members. Applicant notes that since its inception in 1999, its membership has grown to more than 4,000 healthcare providers located in virtually every state, with an aggregate annual purchasing volume of over \$40 billion. Applicant currently procures natural gas for over 600 facilities located in 44 states, managing gas volumes of over 26 billion cubic feet annually. Applicant also manages electricity contracts for over 250 facilities in 13 states with over 2.5 million MWh annually managed load. A list of key technical personnel involved in Applicant's energy-related activities and their resumes are set forth below.

**DAVE MCMILLAN, PE, CEM, CPQ, CEP**

Director, Energy

[dave.mcmillan@healthtrustpg.com](mailto:dave.mcmillan@healthtrustpg.com)

(615) 344-3404

As Director of Energy for HealthTrust, Dave McMillan supports the management of energy costs for HealthTrust members participating in energy programs. HealthTrust energy initiatives include the administration of deregulated electric and natural gas agreements, utility rate studies, evaluation of capital programs, utility negotiations, demand response services, utility bill pay services. Mr. McMillan is also involved with and the evaluation, negotiation and implementation of new procurement and service offerings for HealthTrust participants.

Mr. McMillan has over thirty years of diverse energy industry experience. Prior to joining HealthTrust, he was the energy manager for a Fortune 500 retailer. He has worked as a director of engineering for an energy service company, project manager for utility consulting firm, and engineering design supervisor for an electric generation and transmission cooperative.

Mr. McMillan received his Bachelor of Science in Engineering from the University of Alabama in Huntsville and his MBA from the University of Alabama. He is a licensed Professional Engineer in Tennessee. Mr. McMillan is a senior member of the Association of Energy Engineers (AEE). He has attained the AEE certifications for Certified Energy Manager (CEM), Certified Power Quality Professional (CPQ), and Certified Energy Procurement Professional (CEP).

**BILL MILLER**

Director, Energy

E-mail: [bill.miller@healthtrustpg.com](mailto:bill.miller@healthtrustpg.com)

Phone: (615) 344-3491

As Director of Energy for HealthTrust, Bill Miller supports the management of energy costs for HealthTrust members participating in energy programs. HealthTrust energy initiatives include the administration of deregulated electric and natural gas agreements, utility rate studies, evaluation of capital programs, utility negotiations, demand response services, utility bill pay services. Mr. Miller is also involved with and the evaluation, negotiation and implementation of new procurement and service offerings for HealthTrust participants.

Mr. Miller has over thirty years of diverse energy industry experience including electrical design and engineering, commodity (energy, metals, and agricultural products) trading, contract negotiations and natural gas and electricity procurement in deregulated markets. Prior to joining HealthTrust, he was the energy manager for a Fortune 500 retailer with a total annual energy spends of over \$900 Million. He also has previous experience in setting up electricity trading desks as well as running the power system operation of an electric utility in the western United States.

Mr. Miller received his Bachelor of Science in Electrical Engineering from the University of Utah in Salt Lake City.

**ALICIA RYE, CEP**

Director, Energy

E-mail: [alicia.rye@healthtrustpg.com](mailto:alicia.rye@healthtrustpg.com)

Phone: (615) 344-3405

As Director of Energy, Alicia Rye supports the management of energy costs for HealthTrust members participating in Energy Trust energy programs. HealthTrust energy initiatives include the administration of deregulated electric and natural gas agreements, utility rate studies, evaluation of capital programs, utility negotiations, demand response services, utility bill pay services. Ms. Rye is also involved with and the evaluation, negotiation and implementation of new procurement and service offerings for HealthTrust participants.

Ms. Rye has over twenty-five years of diverse utility and governmental experience encompassing regulatory, rate administration, economic development, and energy procurement.

Ms. Rye has a MBA from Tennessee Technological University and a BS in Business Management from David Lipscomb University. Before joining HealthTrust in 2006, she was a Senior Rate Analyst at Atmos Energy Corporation and, prior to that, was a consulting firm associate engaged in promoting economic and community development. During her tenure with HealthTrust, Ms. Rye has risen from Analyst to Director as the client portfolio has grown and become more diverse. She is a member of the Association of Energy Engineers (AEE) and has attained the certification for Certified Energy Procurement Professional (CEP).