



ENERGY BROKER AND CONSULTANT REGISTRATION FORM

Pursuant to the Public Service Commission's XX Order Establishing Oversight Framework Case XX and to the Uniform Business Practices edits adopted in that order, Energy Brokers¹ and Consultants² are required to submit this form. Subsidiaries and partners, including contractors, subcontractors, special purpose entities, and tax equity investors, are not required to submit this form as long as a registered Energy Broker or Consultant is part of and responsible for ensuring compliance.

FILL OUT AND SUBMIT THIS FORM IN MATTER XX IN THE MATTER OF REGISTRATION FOR ENERGY BROKERS AND CONSULTANTS³

(Attach additional sheets as necessary)

1. Business Information

Business Name: Upstate Utilities & Consultants Inc.

Address: 207 Wallins Corner Rd. Suite 103

City: Amsterdam State: NY Zip: 12010

Telephone: 518-842-6130 Website: www.upstateutilities.com

¹ Energy Broker is defined with in the UBP as "A non-utility entity that performs energy management or procurement functions on behalf of customers or ESCOs, and (1) that assumes the contractual and legal responsibility for the sale of electric supply service, transmission or other services to end-use retail customers, but does not take title to any of the electricity sold, or (2) that assumes the contractual and legal obligation to provide for the sale of natural gas supply service, transportation or other services to end-use retail customers, but does not take title to any of the natural gas sold, and but does not make retail energy sales to customers."

² Energy Consultant is defined with in the UBP as "any person, firm, association or corporation who acts as broker in soliciting, negotiating or advising any electric or natural gas contract, or acts as an agent in accepting any electric or natural gas contract on behalf of an ESCO."

³ Instructions on registering and filing are available at
<https://dps.ny.gov/dmm-help-electronic-filing-registration-instructions>

If you intend to market your services under a DBA, provide a copy of your certificate of assumed name and list the name(s) here: _____

Type of Provider:

Energy Broker _____ Energy Consultant ☒ _____ Both _____

Nature of business being conducted:

Type of customers: (Check all that apply)

Residential ☒ _____ Large Commercial ☒ _____
Industrial ☒ _____ Small Commercial ☒ _____

Provide the contact information for any affiliates conducting energy-related business (including subsidiaries and parent corporations) within New York State or elsewhere.

Business Name: _____

Contact Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

Email Address: _____

Provide the contact information for any parent company or other corporate entity with an ownership interest of 10 percent or more of the registrant:

Business Name: _____

Contact Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

Email Address: _____

During the previous 36 months, have any criminal or regulatory sanctions been imposed on the registrant, any senior officer of the registrant, any corporate entity with corporate entity with an ownership interest of 10 percent or any energy affiliates listed above?

Yes _____

No x

If yes, identify the entities or individuals subject to sanctions and provide a detailed explanation of the sanctions:

Disclose any decisions or pending escalated regulatory actions in other states that affect the registrant's ability to operate in that state, such as suspension, revocation, or limitation of operating authority:

List and describe any current formal investigations involving the registrant being conducted by law enforcement or regulatory entities:

List and explain any acquisitions, mergers, dissolutions, or bankruptcy involving the registrant that occurred in the previous 36 months:

List and describe of any security breaches associated with customer proprietary information in the last 36 months that involved the registrant, including a thorough description of the actions taken in response to any such instances:

List all states in which the registrant has received authority to sell/broker services within the past 36 months. Indicate whether the registrant is actively providing services or not:

State: _____	Status: _____	Date Issued: _____
State: _____	Status: _____	Date Issued: _____
State: _____	Status: _____	Date Issued: _____
State: _____	Status: _____	Date Issued: _____
State: _____	Status: _____	Date Issued: _____
State: _____	Status: _____	Date Issued: _____

List all states in which registrant or its affiliates has been denied approval and/or had authority revoked:

List all municipalities in which the registrant is serving in New York State. Further provide an attachment including all municipality permits obtained by the registrant.

City Of Amsterdam, Fulton County, Montgomery County DPW, Town Of Amsterdam, Village Of Fonda,
Village Of Fort Johnson, Village Of Fort Plain, Town Of Greenfield, Town Of Mohawk, Village Of Caledonia,
City Of Johnstown.
There are no permits.

2. Contact Information

The contacts listed below must be direct contacts for individuals. Direct phone numbers with extensions must be provided for each contact. No shared mailboxes will be accepted. Staff will not share these contacts with the general public.

Executive Contact (Owner, CEO, or Executive responsible for New York service)

Name and Title: Daniel Russo President/Owner

Address: 207 Wallins Corner Rd. Suite 103

City: Amsterdam State: NY Zip: 12010

Telephone: 518-842-6130 Fax: 518-751-2200

Email Address: drusso@upstateutilities.com

Regulatory Contact (Individual(s) Responsible for Ensuring Compliance with Regulatory Requirements)

Name and Title: Daniel Russo President/Owner

Address: 207 Wallins Corner Rd. Suite 103

City: Amsterdam State: NY Zip: 12010

Telephone: 518-842-6130 Fax: 518-751-2200

Email Address: drusso@upstateutilities.com

Marketing Contact (Individual(s) Responsible for Responding to Consumer Inquiries and Complaints)

Name and Title: Daniel Russo President/Owner

Address: 207 Wallins Corner Rd. Suite 103

City: Amsterdam State: NY Zip: 12010

Telephone: 518-842-6130 Fax: 518-751-2200

Email Address: drusso@upstateutilities.com

3. Additional Requirements (Required for New Registrants)

- A sample standard Sales Agreement;
- Sample forms of the notices sent upon assignment of sales agreements, discontinuance of service, or transfer of customers to other providers;
- Procedures used to obtain customer authorization for access to a customers' historic usage or credit information;
- Information on the methods by which the applicant intends to market energy products and services;
- Sample copies of informational and promotional materials that the applicant uses for mass marketing purposes;
- Sample disclosures of compensation;
- Proof of registration with the New York State Department of State;
- Proof of registration to act as a marketer in any municipality where such registration is required;
- An annual \$500 registration fee;
- Proof of an irrevocable standby letter of credit held with a reputable financial institution that identifies that Department as the beneficiary in the amount of:
 - \$100,000 for registering Energy Brokers; and
 - \$50,000 for registering Energy Consultants;
- A completed Service Provider Contact Form, which can be found here, identifying the Energy Broker or Energy Consultant's employee(s) responsible for resolving consumer complaints received by the Department and referred to the Energy Broker or Energy Consultant

4. Signature

The person signing this application attests to the following: that she or he is an owner, partner, or officer of the business named on this registration package, the answers and materials contained in this registration package are true and the registration package submitted is complete and accurate. An Energy Broker or Consultant that knowingly makes false statements in this registration package is subject to denial or revocation of eligibility.

Signature: _____ Print Name: Daniel Russo

Title: President/Owner Date: 6/20/23

Company Name: Upstate Utilities & Consultants Inc.