




STATE OF DELAWARE

PUBLIC SERVICE COMMISSION
861 SILVER LAKE BLVD.
CANNON BUILDING, SUITE 100
DOVER, DELAWARE 19904

November 22, 2023

MEMORANDUM

TO: The Chairman and Members of the Commission

FROM: Shona Marshall, Public Utility Analyst 

SUBJECT: IN THE MATTER OF THE APPLICATION OF NORDIC ENERGY SERVICES, LLC FOR A CERTIFICATE TO PROVIDE ELECTRIC SUPPLY SERVICES WITHIN THE STATE OF DELAWARE (FILED APRIL 6, 2023) - PSC DOCKET No. 23-0454

Background

On, April 6, 2023 Nordic Energy Services, LLC (the “Company” or “Nordic”) submitted an application (the “Application”) with the Delaware Public Service Commission (the “Commission”) for an Electric Supplier Certificate (“ESC”) to provide electricity in the State of Delaware pursuant to § 1012 of the Electric Utility Restructuring Act of 1999, 26 *Del. C.* §§ 1001 - 1020 (the “Act”) and 26 *Del. Admin. C.* § 3001, the Commission’s Rules for Certification and Regulation of Electric Suppliers (the “Supplier Rules”).¹

Application

The Company’s original filing was submitted on April 6, 2023, but the submitted Application was deficient in meeting the minimum filing requirements (“MFRs”). In a letter dated April 21, 2023, Commission Staff (“Staff”) requested the Company submit documents related to its authority to do business in the state of Delaware, retail experience, its marketing plans, and changes to its contracts and contract summaries. The Company satisfied the requirements of the MFRs on November 9, 2023 (the “Completed Application”).

Review and Analysis

Authority to do Business in Delaware

The Company was formed in the State of Delaware. The Company provided proof issued by the Delaware Secretary of State that it is legally authorized and qualified to do business in the State of Delaware. The Delaware Certificate of Good Standing was issued July 18, 2023. The

¹Unless otherwise noted, all references to capitalized terms are set forth in the Act and/or the Supplier Rules.

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Delaware business license was issued July 24, 2023 and is valid from July 20, 2023 through December 31, 2023.

Resident Agent

The Company supplied the contact information for InCorp Services, Inc. located at 919 North Market St, Suite 950, Wilmington, DE 19801.

Compliance with Regional Requirements

The Company agreed to only work with an entity that complies with PJM's requirements and is a certified electric supplier in Delaware.

Financial, Operational, Managerial and Technical Ability

The Company submitted independently audited financial statements as of December 31, 2020, a Statement of Financial Position, Statement of Cash Flow, Statement of Changes in Members' Equity, and a Statement of Earnings for the period ending July 31, 2022 as indicia of financial capability under Section 2.2.16.2 of the Supplier Rules. Staff has reviewed the financial statements and the Company has satisfied the financial ability requirements to provide electric supply services in the State of Delaware.

The Company anticipates serving residential, small commercial, and large commercial customers throughout the State of Delaware. The Company currently holds electric supply licenses in the following states: Illinois, Pennsylvania, Ohio, Maryland, New Jersey, New York, and Massachusetts. Nordic also holds a license for the District of Columbia but is not currently providing services there.

The Completed Application included a summary of experience and qualifications for key personnel. James Deering is the CEO of Nordic Energy Services, LLC and has held this position since June of 2004. He has over 20 years of experience in the energy sector and approximately 26 years of managerial experience. Robert J. Schwalbach is the CFO of Nordic and has held this position since January 2020. He possesses 3 years of experience in the energy industry and over 14 years of managerial experience. Kelli Singer is the COO of the company and has held this position since December of 2016. She has approximately 26 years of both experience in the energy industry and managerial experience.

Surety Bond

The Company did not post a surety bond.

Verification of Completed Application

The Completed Application contained signed sworn verifications with the signature of Kelli Singer, COO.

Consent to Jurisdiction

The Company consents to the jurisdiction of the Delaware courts.

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Contracts and Marketing Materials

The Company provided a sample copy of the script that representatives will be using for door-to-door sales. The company is required to submit copies of all marketing materials to Staff prior to deployment in the state of Delaware.

Contracts

The Company has submitted and modified copies of customer contracts that have been reviewed by Staff in accordance with the Supplier Rules.

Statement of Criminal Activity

The Company stated that it has not been charged or convicted of any criminal activity nor have any of its principals or corporation offices. An internet review of the Company and its principals did not return any incidents of criminal activity.

Legal Review

Staff submitted this Memo for review by the Attorney on November 20, 2023.

Staff Recommendation

Based on Staff's review and analysis of the Completed Application, the Company has satisfied the requirements of the Act and the Supplier Rules to act as a supplier. The Completed Application supports the Company's request for certification. Staff's review and analysis of the Completed Application demonstrates evidence of capability to render service to residential, small commercial, and large commercial customers based on the Company's financial, operational, managerial and technical abilities. Therefore, Staff recommends the Commission approve the Completed Application.