



Gas Marketer Licence Application

Early Bird Power, LLC

1. Application Type

1. (a) Application Type

☐ New ☒ Renewal

1. (b) Licence Number

GM-2019-0238

1. (c) Expiry Date

February 19, 2025

2. The Applicant

2. (a) Legal Name of the Applicant

Early Bird Power, LLC

2. (b) Business Classification

☐ Sole Proprietorship ☐ Partnership ☐ Corporation ☒ Other

If other, please describe.

Limited Liability Company

2. (c) Date of Formation or Incorporation

April 09, 2009

2. (d) Province/State of Formation or Incorporation

Milton, Masschusetts

2. (e) Country of Formation or Incorporation

USA

2. (f) If the applicant is an individual, are they at least 18 years old?

If the applicant is an individual, the applicant must be at least 18 years old.

☐ Yes ☐ No ☒ Not Applicable

2. (g) Head Office or Business Address of the Applicant

Street Address: 1 Adams Street

City: Milton

Province/State: Masschasettes

Country: USA

Postal/Zip Code: 02186

Website: earlybirdpower.com

Main Phone Number and Email Address

Phone Number: 617 872 2384

Toll Free: 888-763-2759

Email Address: shaunpandit@earlybirdpower.com

2. (h) Please describe the applicant's current or intended line of business and business activities.

Early Bird Power provides energy management and sustainability solutions to commercial, municipal and industrial clients across the United States. We currently assist an array of customers with their procurement needs; bringing market knowledge, objectivity and the highest level of service. Early Birds clientele includes hospitals, manufacturers, hotels, restaurants, schools and property managers. As a U.S. nationally operating company, legally licensed to work as energy as well as a natural gas broker in all deregulated states. Early Bird Power is looking to expand our business opportunities internationally to the Ontario area.

3. Licence Primary Contact

The licensee shall designate a person who will act as a primary contact with the Ontario Energy Board (OEB) on matters related to the licence.

3. (a) Licence Primary Contact

Salutation: Mr.

Last Name: Pandit

First Name: Shaun

Title/Position: CEO

Company: Early Bird Power, LLC

Phone Number: 617 872 2384

Toll Free: 888-763-2759

Email Address: shaunpandit@earlybirdpower.com

3. (b) Is the Licence Primary Contact address the same as the Head Office or Business address?

☒ Yes ☐ No

NOTE: If the Licence Primary Contact Address is not in Ontario, the applicant must also provide the contact information for service purposes in Ontario. The applicant may provide the address of an agent (an individual who is a resident of Ontario and is at least 18 years old, or a corporation that has its head office or registered office in Ontario) as the contact for service.

3. (c) Contact Information for Service in Ontario

Salutation: Mr.

Last Name: Crossan

First Name: Larry

Title/Position: Agent

Company: Lexcor Business Lawyers LLP

Phone Number: 512-858-2222

Email Address: larry@lexcor.ca

Address for Service in Ontario

Street Address: 629 Wellington Street

City: London

Province/State: Ontario

Country: Canada

Postal/Zip Code: N6A 3R8

4. Application Primary Contact

The primary contact for the licence application may be a person within the applicant's organization other than the licence primary contact noted above. An applicant may also choose to designate a consultant, lawyer, etc. to be the primary contact for the licence application. The OEB will communicate with this person during the course of the application review process, but with the licence primary contact after a licence is issued.

4. (a) Is the Application Primary Contact the same as the Licence Primary Contact?

☒ Yes ☐ No

5. Customer Complaint or Inquiries Primary Contact

Provide contact information of the person to whom correspondence or communication regarding customer complaints or inquiries should be addressed. The mailing address should be in Ontario and the phone number should be listed in Ontario. The applicant should also provide a toll-free phone number for the general public to use.

5. (a) Customer Complaint or Inquiries Primary Contact

Salutation: Mr.

Last Name: Crossan

First Name: Larry

Title/Position: Agent

Company: Lexcor Business Lawyers LLP

Phone Number: 519-858-2222

Toll Free: 888-763-2759

Email Address: Larry@lexcor.ca

Customer Complaint or Inquiries Primary Contact Address

Street Address: 629 Wellington Street

City: London

Province/State: Ontario

Country: Canada

Postal/Zip Code: N6A 3R8

6. Trade Names

The gas marketer licence authorizes the licensee to conduct business using the name under which the licence is held (i.e. the applicant's legal name). It also provides for the use of trade names by the licensee.

6. (a) Does the applicant intend to use trade names?

☐ Yes ☒ No

7. Applicant's Licensing Status and History

7. (a) Has the applicant, an affiliate of the applicant, or an associated entity (e.g. a partnership or limited partnership) ever been licensed by the OEB?

☒ Yes ☐ No

The *Business Corporations Act* definition for "affiliate" can be found at www.e-laws.gov.on.ca.

If yes, please provide current and expired licences.

Licensee Name	Relation to the Applicant (e.g. applicant itself, affiliate, partner, etc.)	Licence Number
Electricity Retailer License Agent Only	applicant itself	ER-2018-016

7. (b) Does the applicant, an affiliate of the applicant, or an associated entity (e.g. a partnership or limited partnership) have any other application(s) before the OEB?

☐ Yes ☒ No

7. (c) Has the applicant, an affiliate of the applicant, or an associated entity (e.g. a partnership or limited partnership) ever undertaken energy sector activity in any other jurisdiction within North America?

☒ Yes ☐ No

If yes, please provide information about activities in other jurisdictions.

Company Name	Relation to the Applicant	Jurisdiction	Business Activity	Name of Licensing Body and Licence/Registration No. (if applicable)
Early Bird Power	Self	Connecticut	Electric Aggregator)	16-03-44
Early Bird Power	Self	Delaware	Electricity/Gas Broker	No.14-0289
Early Bird Power	Self	Illinois	Agent, Broker, Consultant	NO 10-0632
Early Bird Power	Self	Massachusetts	Electricity/Gas Broker	RA-043(gas retail agent license) EB>125 (electricity broker license
Early Bird Power	Self	Maine	Electricity/Gas Broker	No. 2009-215

Company Name	Relation to the Applicant	Jurisdiction	Business Activity	Name of Licensing Body and Licence/Registration No. (if applicable)
Early Bird Power	Self	Maryland	Electricity/Gas Broker	IR-1798 (Electric License) IR-2524
Early Bird Power	Self	New Hampshire	Electricity/Gas Broker	DM-12-053 - DM 11-032
Early Bird Power	Self	New Jersey	Electricity/Gas Broker	EE 16080791L - GE - 16080792L
Early Bird Power	Self	Ohio	Electricity/Gas Broker	14-0004-EL-AGG - 14-338G (2)
Early Bird Power	Self	Rhode Island	Electricity/Gas Broker	D-96-6 (A4)
Early Bird Power	Self	District of Columbia	Electricity/Gas Broker	EA 11-23-4 GA 11-7-8
Early Bird Power	Self	Pennsylvania	Electricity/Gas Broker	A- 2016-2542114 A-2011-2275191

8. Officers, Directors and Key Individuals

8. (a) Please confirm the number of officers, directors and key individuals in your organization.

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8. (b) In the table below, identify the key individuals that are responsible for executing the following functions for the applicant: matters related to regulatory requirements and conduct, financial matters and technical matters.

Key individuals include the Chief Executive Officer, the Chief Financial Officer, other officers and directors, partners or proprietors.

NOTES:

1. List a minimum of 3 key individuals in the table below. Additional information about each key individual is required in Section 17.
2. One of the listed key individuals must sign the completed application. See Section 19 for signing authority details.

Name of Key Individual	Email	Title/Position within Applicant's Business (or identify company if not the Applicant's Business)
Shaun Pandit	shaunpandit@earlybirdpower.com	CEO

8. (c) If unable to provide a minimum of 3 key individuals, please explain.

Shaun Pandit is the sole owner/controller of Early Bird Power and handles all of the technical and financial decisions.

9. Intended Markets and Services

9. (a) Identify the applicant's intended markets and services. Select all that apply.

- ☒ To sell or offer to sell gas to low-volume consumers (consuming 50,000m³ or less of natural gas per year) in Ontario.
- ☒ To act as an agent or broker for a gas marketer with respect to the sale or offering for sale of natural gas to low-volume consumers in Ontario.
- ☒ To act as an agent or broker for low-volume consumers with respect to the sale or offering for sale of natural gas in Ontario.

9. (b) Is the applicant currently providing any of the above listed services?

☐ Yes ☒ No

9. (b_no) If no, indicate when the applicant intends to provide these services.

We are actively marketing our services and plan for new business in the near future.

9. (c) Please describe in detail the applicant's intended business model and product offering(s). Include details of all products the applicant intends to offer to its customers and explain how the commodity pricing will be determined for each of the applicant's product offering.

To provide our clients with transparent, competitive pricing for electricity and natural gas from multiple suppliers in a professional manner to assist in spending less on energy without adding risk.

Early Bird Power has been procuring energy in the U.S deregulated energy market for more than 10 years, and our clients include many of the largest industrial, municipal, and commercial clients across the country. Our focus is precisely on this - we do not work with residential customers. We are licensed internationally for electricity and natural gas brokerage services. Early Bird Power has not had any contract cancellations or non-renewals due to performance or client satisfaction issues. Our best practices encompass a full suite of energy management services including, but not limited to:

- ? Energy Budgeting and Forecasting through market research and tariff analysis
- ? Portfolio analysis and forward energy strategy
- ? Cost and usage evaluation through extensive reporting and market monitoring tools
- ? Skilled contract analysis and negotiation
- ? Utility representation and bill audit
- ? Demand response consulting and management

We are a market focused – not sales focused – firm and operate in a streamlined way. We are market experts with a mission to help our clients spend less, use less, and go green. We are ahead of opportunities and present these to our clients quickly become a valued asset to them. Our team of experts possess experience in delivering this value to all our current and prospective clients.

Early Bird Power maintains constant contact with clients and awarded suppliers to ensure that our clients' accounts are active, billed correctly, and serviced accordingly. We have a dedicated representative assigned to clients for any issues available by phone or email during working hours, and many times 24/7 as needed. We address any issues immediately and make those issues and resolution to that issue a priority until it gets resolved. If a request by email or via phone is made, we will respond within a business day, or usually that day with recognition, and a path forward to bring resolution. We will communicate on behalf of our clients with any third-party suppliers or utility providers until the issue is resolved to their satisfaction

9. (d) Describe how the applicant purchases, or intends to purchase, its commodity supply, including source(s) of supply, pricing terms, hedging mechanisms and timing of purchase relative to customer supply.

We receive pricing from multiple suppliers and add a set commission, for instance 2%, which we let our clients know about. All pricing is done in a transparent manner with our clients' best interests in mind. EarlyBird Power investigates the current portfolio of hedges, future expansion or renovation plans, environmental targets and goals, and current market fundamentals as well as industry and regulatory fundamentals and changing requirements. EarlyBird Power will relay its findings, display different strategies, and recommend procurement strategies that are in the best interest of our clients based on risk, reward, and price.

9. (e) Describe in detail the applicant's intended approach to customer acquisition. Please include a detailed description of the marketing/advertising campaign that has been planned to begin customer acquisition and list all sales channels intended to be used.

EarlyBird Power works with large commercial and industrial clients with facilities both in the U.S and abroad. A large number of opportunities come through referrals from our portfolio of current clients and their satisfaction with our level of service. In addition to this we scout opportunities in government portals. We have a small direct sales team and do not outsource sales efforts to find opportunity. EarlyBird does marketing campaigns is primarily online such as the website (www.EarlyBirdPower.com), Social Media (Facebook, LinkedIn, Twitter), Google Ads, mailing lists, and website banners. We market ourselves as a client-oriented firm who

provide market expertise to help lower electricity and natural gas costs. In addition to this we also have a presence in different News articles where our large clients are mentioned. As stated above, our primary sales channel revolves around references by our network of large industrial and commercial clients. We also reach out directly to businesses in industries known for large energy use such as manufacturing, healthcare, and education. In doing so we make mention of our previous work with clients of similar size and industry.

9. (f) Does the applicant intend to acquire any services from the third-party providers (e.g. customer service, call centre, settlement services)?

☐ Yes ☒ No

CONFIDENTIAL SECTIONS

Information filed as part of or in support of sections 10 to 17 of this application will be treated as confidential and is not available for public view.

18. Notice

The OEB is authorized, under section 4.14 of the [OEB Act](#), to collect personal information for the purpose of carrying out its duties and exercising its powers under the OEB Act or any other Act.

The information provided both on this form and attached to this form is being collected by the OEB for the purpose of determining whether the applicant is qualified to receive the licence for which it is applying.

In order to verify the information on this form and/or determine whether the applicant is qualified to receive the licence for which it is applying, it may be necessary for the OEB to collect additional information from some or all of the following sources: federal, provincial/state, or municipal governments; licensing bodies; law enforcement agencies; credit bureaus; and banks. Only information relevant to the application or the OEB's determination of the application will be collected by the OEB.

The public official who can answer questions about the collection of the information is:

Registrar

Ontario Energy Board

P.O. Box 2319

2300 Yonge Street, 27th Floor

Toronto, ON M4P 1E4

Tel: 416-481-1967 or 1-888-632-6273

Applicants are reminded that the OEB is subject to the [Freedom of Information and Protection of Privacy Act](#) (FIPPA). FIPPA addresses circumstances in which the OEB may, upon request, be required to release information that is in its custody or under its control, and generally prohibits the OEB from releasing personal information. "Personal Information" has the meaning given to it under FIPPA.