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COMMERCE COMMISSION

STATE OF ILLINOIS

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ILLINOIS COMMERCE COMMISSION

CHIEF CLERK'S OFFICE

Energy Purchasing Services, Inc. :

Application for Licensure of :
Agents, Brokers, and Consultants :
under Section 16-115C :
of the Public Utilities Act. :

Docket No. 09-0474

APPLICATION

Energy Purchasing Services, Inc. ("Applicant"), hereby requests that the Illinois Commerce Commission ("Commission") grant it a license pursuant to Section 16-115C of the Public Utilities Act ("Act"). In support of its application, Applicant states as follows:

GENERAL [454.40, 454.50, 454.100]

1. Energy Purchasing Services, Inc.
Sandee Whited, President
1105 Nashville Court
Naperville, IL 60540
2. Energy Purchasing Services, Inc. is an Illinois corporation established in 2004 (see Attachment A - Articles of Incorporation).
3. Contact for Energy Purchasing Services, Inc.:

Sandee Whited
President
1105 Nashville Court
Naperville, IL 60540
(630) 696-2392
sandee@energysvcs.com
4. Energy Purchasing Services, Inc. provides energy consulting services to end-user customers with headquarter locations in Illinois. Energy Purchasing Services, Inc. assists client with their purchases of natural gas and electricity. Energy Purchasing Services, Inc. is an independent energy consultant with no contractual relationships with any energy supplier (RES).

5. Sandee Whited has approximately 25 years of experience in the energy industry. Positions held include: Gas Contract Analyst (Columbia Gas Transmission), Gas Accountant (Natural Gas Pipeline Co. of America), Business Development Manager (Natural Gas Pipeline Co. of America), Senior Account Manager (mc²), Sales Director (Energy Dynamics), Senior Account Manager (Blackhawk Energy Services). Energy Purchasing Services, Inc. has been in business for approximately six years. See Attachment B for Sandee Whited's resumé.

6. Agent for Energy Purchasing Services, Inc.:

Daniel Dodge
1105 Nashville Court
Naperville, IL 60540
(630) 531 – 7643
dan@energysvcs.com

7. Applicant certifies that it:

- a) is licensed to do business in the State of Illinois and is in compliance with all other applicable laws, regulations and Commission rules and orders; [454.40(c)(2)]
- b) shall comply with all terms and conditions required by Section 16-115C of the Act; [454.40(d)(2)]
- c) shall ensure any person who acts on behalf of the entity will comply with all sections of Part 454 applicable to the function or functions to be performed; [454.40(d)(3)]
- d) shall remain in compliance with the provisions of the Act and Part 454; [454.50]
- e) shall ensure that authorizations received from customers, and all other applicable records are retained for a period of not less than three calendar years after the calendar year in which they were created; and [454.100(a)]
- f) shall preserve the confidentiality of its customers' data. [454.100(b)]

MANAGERIAL LICENSING QUALIFICATIONS [Section 454.60]

8. Applicant meets the managerial qualifications set forth in Part 454.60, as demonstrated in Attachments B & C. Attachment B includes a statement identifying the persons who are being used to meet the requirements of Part 454.60(a). Attachment C includes an exhibit containing occupational background information on the person who is being used to meet the requirements of Part 454.60(a).

TECHNICAL LICENSING QUALIFICATIONS [Section 454.70]

9. Applicant meets the technical qualifications set forth in Part 454.70, as demonstrated in Attachment C. Attachment C includes an exhibit containing occupational background information on the person who is being used to meet the requirements of Part 454.70(a).

FINANCIAL LICENSING REQUIREMENTS [SECTION 454.80]

10. Applicant is required to execute and maintain a license or permit bond in the name of the People of the State of Illinois issued by a qualifying surety or insurance company authorized to transact business in the State of Illinois. The amount of the bond shall equal \$5,000.

CODE OF CONDUCT [SECTION 454.90]

11. Applicant certifies that it shall:
 - a) Disclose in plain language in writing the nature of the services offered by Energy Purchasing Services, Inc.;
 - b) Disclose in plain language in writing to all persons it solicits the total anticipated remuneration to be paid to it by any third party over the period of the proposed underlying customer contract. Any such disclosure must be made prior to entering into the contract and signed by the customer;
 - c) Not hold itself out as independent or unaffiliated with any RES, or both, or use words calculated to give that impression, unless the person or entity offering service under this Section 16-115C of the Act has no contractual relationship with any RES or its affiliates regarding retail electric service in Illinois;
 - d) Not utilize false, misleading, materially inaccurate, defamatory, or otherwise deceptive language or materials in the soliciting or providing of its services;

- d) Not utilize false, misleading, materially inaccurate, defamatory, or otherwise deceptive language or materials in the soliciting or providing of its services;
- e) Maintain copies of all marketing materials disseminated to third parties for a period of not less than three years;
- f) Maintain copies of all disclosure statements required in subsections (a) and (b) for a period of not less than three years;
- g) Not present electricity pricing information in a manner that favors one supplier over another, unless a valid pricing comparison is made utilizing all relevant costs and terms; and
- h) Comply with the requirements of Sections 2EE, 2FF, 2GG, and 2HH of the Consumer Fraud and Deceptive Business Practices Act [815 ILCS 505/2EE, 2FF, 2GG, and 2HH].

REPORTING REQUIREMENTS [SECTION 454.110]

12. Applicant agrees to submit reports in accordance with annual reporting requirements. [454.110]

WHEREFORE, Applicant requests that the Commission grant its application for licensure as an agent, broker, or consultant to engage in the procurement or sale of retail electricity supply for third parties.

Respectfully submitted,

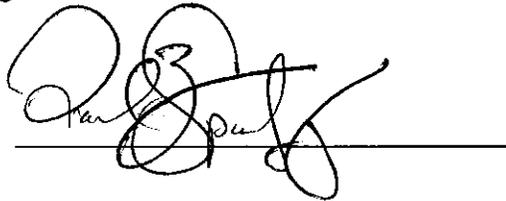
Energy Purchasing Services, Inc.

By: 
President
Energy Purchasing Services, Inc.

VERIFICATION

STATE OF Illinois
COUNTY OF DuPage

Paul SPANDI AM, being first duly sworn, deposes and says that she/he represents the bank Fifth Third Bank of Energy Purchasing Services, Inc.; that he/she has read the foregoing Application of Energy Purchasing Services, Inc., and all of the attachments accompanying and referred to within the Application; and that the statements contained in the Application and the attachments are true, correct and complete to the best of her/his knowledge, information and belief.



Subscribed and sworn to before me
this 26 day of October, 2009


Notary Public

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OFFICAL SEAL
Jodi Reeves
Notary Public, State of Illinois
My Commission Expires 2/02/11
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