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CHIEF CLERK'S OFFICE

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Donald Mulder

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

Docket No. 09-0487

APPLICATION

Donald Mulder ("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. Applicant's name and street address:

Donald Mulder
1531 Pendelton Ct
Palatine, IL 60067

2. Related Information:

- Type of business entity:

Sole Proprietorship

- Jurisdiction in which and under whose laws business entity was created:

Illinois

- Other names under which Applicant does business (D/B/A):

Utility Service Consultants

2. Contact Persons for the following:

- a) Issues related to processing this application:

Donald Mulder
1531 Pendelton Ct
Palatine, IL 60067
847-372-7244
DRMulder@aol.com

- b) Issues related to complaint resolution [454.130]:

Donald Mulder
1531 Pendelton Ct
Palatine, IL 60067
847-372-7244
DRMulder@aol.com

3. Description of Applicant's business. [454.40(c)(1)]:

Donald Mulder, DBA Utility Service Consultants, provides consulting and advisory services regarding electric utilities within the service area of ComEd exclusively to a small number of not-for-profits. These services include analyzing bills for accuracy, soliciting proposals from energy suppliers, evaluating said proposals and assisting the client in contracting. Only at the insistence of the client does Utility Service Consultants act as customer agent.

Nominal consulting fees are occasionally charged to the client via direct invoice. Nonexclusive partnerships are maintained with two electric energy consultants that have agent agreements with alternative electric energy suppliers. Agent commissions are shared when contracts are placed with these agents that offset direct consulting fees to the client. Such have always been disclosed to client in writing as standard practice.

5. A statement in support of application, supporting documents, and schedules containing information showing that the applicant meets the requirements of Section 16-115C of the Act. [454.40(d)(1)]:

The applicant hereby certifies that it meets all requirements of Section 16-115C of the Public Utilities Act [454.40(d)(1)].

6. The name, address, telephone number, any facsimile number and any e-mail address of the agent registered with the Illinois Secretary of State. This information shall be kept current and any change regarding the licensee shall be

reported within 15 days after the change occurs. The required information shall be filed with the Chief Clerk of the Commission at its Springfield office.
[454.40(c)(3)]:

Both Donald Mulder and Utility Service Consultants are not now, nor have ever been represented by any agent or lobbyist in the State of Illinois; and no agents have ever been registered with the Illinois Secretary of State.

7. Applicant certifies that it:
- a) is licensed to do business by the Secretary of State in the State of Illinois and the Cook County Clerk, 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:

Donald Mulder is the sole member of Utility Service Consultants.

Donald Mulder is a retired marketing and strategy executive in Fortune 500 companies and Principal of Booz, Allen Hamilton, one of the world's largest international management consulting partnerships. With a graduate degree in Electrical Engineering from the University of Michigan and MBA from the University of Chicago, Don had a enjoyed a successful career as a corporate officer in Information Technology firms (3Com, Centel, Nortel, and US Robotics) and leading Board-level consulting projects for IT firms around the world.

Don has served as visiting Associate Professor and Chairman of the Business Department at Trinity International University, and taught at the Russian-American Institute in Moscow where he is considered a member of the faculty. Don has taught in business settings as an invited speaker at conferences and seminars during his twenty-

year career as a senior executive and CEO of his own award-winning company and fifteen-year R&D career at Bell Laboratories. He has also served as a Director on several corporate and university Advisory Boards.

Besides teaching, Don's kingdom work includes serving as Treasurer and Member of the Executive Committee of the Evangelical Free Church, Great Lakes District, member of the Executive Service Corps of Chicago conducting pro bono consulting projects for government and not-for-profits. For the past seven years Don has specialized his independent consulting work in his firm, Utility Service Consultants, advising Chicago area churches and schools on how to reduce the expense of electric and gas utility services.

TECHNICAL LICENSING QUALIFICATIONS [Section 454.70]

9. Applicant meets the technical qualifications set forth in Part 454.70

See Managerial Licensing Qualifications statement above.

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. [Attach the license or permit bond required by Part 454.80(a) and proof that the surety meets the definition of "qualifying surety" as set forth in Part 454.10.]

See attached proof of surety bond.

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 the ABC;
- 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;
- 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]

Form for ABC Applicants

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,

[Name of Applicant]

By: Donald Mulder, Principal
[Specify officer, agent, or attorney]

VERIFICATION

STATE OF IL)
COUNTY OF Cook)

Donald Mulder, being first duly sworn, deposes and says that ~~she~~ he is
[the] ~~[an]~~ Applicant ~~[off]~~ ~~[for]~~ [Applicant]; that he/~~she~~ has read the foregoing
Application of [Applicant], 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.

Donald Mulder
[Name of person verifying application]

Subscribed and sworn to before me
this 27 day of October, 2009.

Jennifer Sharpin
Notary Public

[Stamp of Notary]

