

STATE OF ILLINOIS

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ILLINOIS COMMERCE COMMISSION

CHIEF CLERK'S OFFICE

World Energy Solutions, Inc.

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

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:
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Docket No.

09-0599

APPLICATION

World Energy Solutions, 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. Applicant's name and street address.

**World Energy Solutions, Inc.
446 Main Street
Worcester, MA 01608**

2. Related Information:

- Type of business entity: [corporation, LLP, LLC, etc.]

Corporation

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

Delaware

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

World Energy Solutions does not conduct business under any other name.

3. Contact Persons for the following:
a) issues related to processing this application and

Carolyn Oldenburg
General Counsel
World Energy Solutions, Inc.
446 Main Street
Worcester, MA 01608
Phone: (508) 459-8100
Email: coldenburg@worldenergy.com

- b) issues related to complaint resolution [454.130]

Andrew Thomas
SVP, Env & Wholesale Operations
World Energy Solutions, Inc.
446 Main Street
Worcester, MA 01608
Phone: (508) 459-8100
Email: athomas@worldenergy.com

Provide each contact person's name, title, mailing address, telephone number, and e-mail address for a) and b).

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

World Energy is an energy brokerage company that has developed an online reverse auction platform, the World Energy Exchange. We bring energy suppliers and commercial, industrial and government energy customers together in our virtual marketplace, often with the assistance of channel partners. Although our core competency is brokering electricity, we have adapted our World Energy Exchange platform to accommodate the brokering of natural gas, green power and energy-related financial instruments, in response to customer demand. The World Energy Exchange is part of a complete end-to-end online energy procurement process that includes managing deals and tasks, providing market intelligence, developing RFPs, conducting auctions, analyzing results, assisting customers through the contracting process, and tracking customers' energy contracts and usage history.

World Energy does not take title to the electricity or bill customers. Customers award contracts to suppliers that have been licensed by the ICC. Customers pay the suppliers directly. The World Energy fee is paid by the supplier.

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)]

World Energy Solutions, Inc. meets the requirements of Section 16-115C of the Act. . [454.40(d)(1)]

World Energy is an energy brokerage company that has developed an online reverse auction platform, the World Energy Exchange. We bring energy suppliers and commercial, industrial and government energy customers together in our virtual marketplace, often with the assistance of channel partners. Although our core competency is brokering electricity, we have adapted our World Energy Exchange platform to accommodate the brokering of natural gas, green power and energy-related financial instruments, in response to customer demand. The World Energy Exchange is part of a complete end-to-end online energy procurement process that includes managing deals and tasks, providing market intelligence, developing RFPs, conducting auctions, analyzing results, assisting customers through the contracting process, and tracking customers' energy contracts and usage history.

World Energy Solutions experience:

- **World Energy Solutions does not trade or ever take title or ownership of electricity or other energy commodity. World Energy Solutions is an energy broker.**
- **World Energy Solutions is the market share leader in North America, having brokered over 40 billion kWh of electricity and 700 million kWh of green power and Renewable Energy Certificates (RECs) and one trillion cubic feet of natural gas.**
- **World Energy Solutions runs a procurement exchange that is supplier-neutral. Our mission is to get the consumer the lowest price for their energy needs.**
- **World Energy Solutions provides a toll free number (1-800-578-0718) for all customers inquires.**
- **World Energy Solutions will not be billing retail customers so has not included a sample bill. World Energy Solutions' fee is paid for directly by the supplier.**

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)]

**National Registered Agents, Inc.
200 West Adams Street
Chicago, IL 60606
Phone: (312) 346-3606
Fax: (312) 346-3607**

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)]

World Energy Solutions, Inc. certifies that it 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)]. Attachment 1 contains a copy of World Energy Solutions Inc.'s Certificate of Good Standing issued by the State of Illinois.

- b) shall comply with all terms and conditions required by Section 16-115C of the Act; [454.40(d)(2)]

World Energy Solutions, Inc. certifies that it 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)]

World Energy Solutions, Inc. certifies that it 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)].

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- d) shall remain in compliance with the provisions of the Act and Part 454; [454.50]

World Energy Solutions, Inc. certifies that it 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)]

World Energy Solutions, Inc. certifies that it 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)]

World Energy Solutions, Inc. certifies that it 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 Attachment __. Attachment __ includes an exhibit containing a corporate organizational chart and identifying the persons who are being used to meet the requirements of Part 454.60(a). Attachment _ includes an exhibit containing occupational background information on the person or persons who are being used to meet the requirements of Part 454.60(a). [Attachment should include narrative and/or resume of key personnel showing clearly how the managerial experience requirement is being met.]

World Energy Solutions, Inc. meets the managerial qualifications set forth in Part 454.60. Please see Attachment 2.

Attachment 3 includes an exhibit containing a corporate organizational chart and identifying the persons who are being used to meet the requirements of Part 454.60(a).

Attachment 2 includes occupational background information on the person or persons who are 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 __. Attachment __ includes an exhibit containing occupational background information on the person or persons who are being used to meet the requirements of Part 454.70(a). [The attachment shall identify the persons who are being used to meet each of the requirements of Part 454.70. Attachment should include narrative and/or resumes of key personnel showing clearly how the technical experience requirement is being met.]

World Energy Solutions, Inc. meets the technical qualifications set forth in Part 454.70, as demonstrated in Attachment 4.

Attachment 4 includes an exhibit containing occupational background information on the person or persons who are 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

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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.]

[Department of the Treasury's Listing of Approved Sureties (Department Circular 570) (<http://www.fms.treas.gov/c570/c570.html>)]

World Energy Solutions, Inc. has attached the 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 in Attachment 5. World Energy Solutions, Inc. acknowledges that 1) it is required to execute and maintain a bond in the name of the People of the State of Illinois, 2) the bond must be issued by a qualifying surety or insurance company authorized to transact business in the State of Illinois, and 3) the amount of the bond shall be equal to \$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 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;

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- 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].

World Energy Solutions, Inc. certifies that it will:

- 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].**

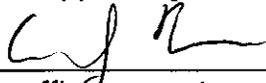
REPORTING REQUIREMENTS [SECTION 454.110]

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

World Energy Solutions, Inc. agrees to submit reports in accordance with annual reporting requirements. [454.110]

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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, *World Energy Solutions, Inc.*
[Name of Applicant] *Andrew J. Thomas*
By: 
[Specify officer, agent, or attorney]

Carolyn Oldenburg
General Counsel
World Energy Solutions, Inc.
446 Main Street
Worcester, MA
Phone: (508) 459-8100
Fax: (508) 459-8101
coldenburg@worldenergy.com

VERIFICATION

STATE OF MA)
COUNTY OF Worcester)

Andrew Thomas, being first duly sworn, deposes and says that she/he is [the] [a(n)] SVP (Agent) [of][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.

[Signature]
[Name of person verifying application]
Andrew J. Thomas

Subscribed and sworn to before me
this 4 day of December, 2009.

[Signature]
Notary Public

[Stamp of Notary]

