

STATE of ILLINOIS
Illinois Commerce Commission

09.0604

Licensure of Retail Electric Agents, Brokers, Consultants
Pursuant to Section 16-115C of Public Utilities Act

GENERAL

1. Legal Name of Applicant:

 PRES Services, LLC

Doing Business As (DBA): PRES Energy

Applying as: Consultant

2. Business Address: 2430 North Forest Road, Suite 106

 Getzville, New York

 14068

(a) organized under the laws of which state: New York

(b) date of organization: 2001

See copy of certificate of Incorporation in Attachment A

3. Name, Title and Business Address of all Officers and Directors, Partners, or other similar

Officials:

 Robert C. Moyer CEO
2430 North Forest Road, Suite 106
Getzville, New York 14068
716 633-1370

 Robert C. Moyer II President
2430 North Forest Road, Suite 106
Getzville, New York 14068
716 633-1370

 Dan Morrison VP of Operations
5916 Edgewater Drive
Overland Park, KS 66223
913 766-3999

 Robert K. Camera – GM of Procurement Division (reference for processing this application and complaint resolution)

PO Box 976
32 Castle St., Stes 3&4

CHIEF CLERK'S OFFICE
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ILLINOIS
COMMERCE COMMISSION

Geneva, New York 14456
315 789-2458
315 663-3037 fax
Ken.camera@pres-services.com

4. Description of Applicant's Business [454.40 (c)(1):

PRES Services has four main operating divisions that address the various aspects of Property Strategy and Energy Cost Management which have the most significant impacts on a company's bottom line. Full service energy cost management services focus on "behind the meter" (Energy Efficiency) system design, optimization, and project implementation to help commercial companies and institutions reduce their energy demand. This is the historical 'core' for PRES Services with growth of affiliate businesses to provide related and complementary services:

1. Energy strategy development
2. Energy procurement consulting
3. Assessment of load management
4. Risk analysis/management
5. Technology assessment
6. Implementation of Energy Conservation Measures and Projects

Energy procurement assistance is rendered to clients by a Division of PRES Services known as Energy Finish Line. We provide supply side portfolio management and energy procurement services to help commercial entities and institutions buy energy at predictable and competitive rates.

The following statement is Confidential and Proprietary to PRES Services, LLC, and is provided to the ICC solely for the purpose of its internal review requirements under this application:

PRES Services, LLC is a closely held private company that has no short term or long term debt. In 2007, PRES Services, LLC and its affiliate companies earned over \$20MM in total revenue. Net Income for 2007 was over \$2.5MM. The scope and content of providing energy consulting and procurement services in Illinois does not present any financial concern, or require any special consideration under PRES Services, LLC financial management plans.

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)]

PRES Services is has been serving commercial and institutional customers since 2001, in a multitude of states and with a variety of solutions to help them reduce operational costs and reduce waste. Our principle services are energy analysis and design

services needed to array the alternatives and the management expertise to carry out the selected options.

We have review Section 16-115C of the Public Utilities Act and are in compliance with its provisions.

We have reviewed Subpart B of the Commission's Rules of Practice (83 Ill. Adm. Code 200) and our documentation is consistent with these guidelines.

6. Contact information of the agent registered with the Illinois Secretary of State:

— CT Corporation System
208 South LaSalle Street, Ste 814
Chicago, IL 60604

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 Section 3 above which shows the corporate organization and identifies the persons who are being used to meet the requirements of Part 454.60(a). Attachment B 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.]

Technical Licensing Qualifications [Section 454.70]

9. Applicant meets the technical qualifications set forth in Part 454.70, as demonstrated in Attachment **B***[refer to same attachment as in previous section]*. Attachment C 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.]

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.]

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

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
- 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]

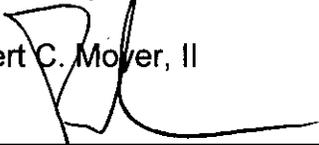
- 12. Applicant agrees to submit reports in accordance with annual reporting requirements. [454.110]

WHEREFORE, Applicant requests that the Commission grant its application for licensure as a

consultant to engage in the procurement or sale of retail electricity supply for third parties.

Respectfully submitted,

Robert C. Moyer, II

By:  _____

President

VERIFICATION

STATE OF NY)
COUNTY OF Erie

Robert C. Moyer II, being first duly sworn, deposes and says that she/he is
[the] [a(n)] President [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.


[Name of person verifying application]

Subscribed and sworn to before me
this 2nd day of December, 2009.

Loretta T. Lewandowski
Notary Public

[Stamp of Notary]

LORETTA T. LEWANDOWSKI
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
NO. 01LE6145354
MY COMM. EXPIRES MAY 1, 2010