

This form for ABC Applicants has been prepared by the Staff of the Illinois Commerce Commission. It is intended to be a source of information and a template that may be of use to entities petitioning the Illinois Commerce Commission to be licensed as an Agent, Broker, and Consultant ("ABC") under Section 16-115C of the Public Utilities Act ("Act") [220 ILCS 5/16-115C] and 83 Ill. Adm. Code 454 ("Part 454"), Licensure of Agents, Brokers, and Consultants. The Form is presented in a generic format and should be individually tailored by each ABC applicant before submitting to the Illinois Commerce Commission. The Form is not intended to constitute legal advice regarding compliance with Section 16-115C of the Act, 83 Ill. Adm. Code 454, or any applicable case law.]

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

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

Docket No. 10-0001

APPLICATION

[BidURenergy, 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:
BidURenergy, Inc.
4455 Genesee St, Bldg 6
Buffalo, NY 14225

2. Related Information:

- Type of business entity: Corporation
- Jurisdiction in which and under whose laws business entity was created: New York
- Other names under which Applicant does business (D/B/A): n/a

3. Contact Persons for the following:

a) issues related to processing this application:
Corey Rose Akios
4455 Genesee Street, Building 6
Buffalo, NY 14225
Phone: 877-711-5453x333
Fax: 877-283-4152

CHIEF CLERK'S OFFICE
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ILLINOIS COMMERCE COMMISSION

Email: Corey@ecsgrid.com

- b) issues related to complaint resolution [454.130]
Linda Lindsey
4455 Genesee Street, Building 6
Buffalo, NY 14225
Phone: 877-711-5453x308
Fax: 877-283-4152
Email: Lindal@bidurenergy.com

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

BidURenergy, Inc. acts as a full-service electricity and natural gas broker for both residential and small/large commercial or industrial customers. BidURenergy, Inc. is an online energy marketplace in which suppliers compete through a blind auction format to represent accounts. We collect our customer's billing and usage history, analyze it, and present it to electric and natural gas suppliers in their region. When the suppliers make an offer on the account, we compile the results in an easy-to-read format and present that to our customers. By having the suppliers compete for accounts, we drive the cost down for our customers. BidURenergy, Inc. receives commission from the suppliers, so it is a no-cost, no obligation service for our customers. In addition to energy brokering, BidURenergy also provides consulting and bill audit services for our customers.

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)]:

BidURenergy, Inc attests that this application along with the supporting documents are accurate and BidURenergy, Inc meets the requirements and shall comply with all terms and conditions required by Section 16-115C of the Act.

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)]

Business Filings Incorporated
600 South Second Street, Suite 103
Springfield, Illinois 62704
Tel: 608-827-5300
Fax: 608-827-5501

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 Attachment A. Attachment A 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 A 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.]

Attached please find Attachment A which includes an exhibit containing a corporate organizational chart and professional resume of individual 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 B. Attachment B includes an exhibit containing occupational background information on the person or persons who are being used to meet the requirements of Part 454.70(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.]

Attached please find Attachment B which includes an exhibit containing occupational background information on the individual 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.

Attached, please find a license or permit bond in the name of the People of the State of Illinois, and is issued by the qualified surety, the Hartford Group, The amount of the bond equals \$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;
- 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,

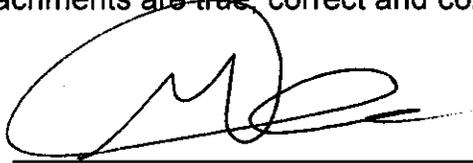
BidURenergy, Inc.

By: 
Glen Smith, President and CEO

VERIFICATION

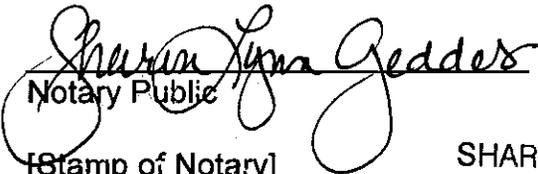
STATE OF New York)
COUNTY OF Erie)

Glen E. Smith, being first duly sworn, deposes and says that he is the President and CEO of BidURenergy, Inc.; that he has read the foregoing Application of BidURenergy, 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 his knowledge, information and belief.



Glen E. Smith, President and CEO
BidURenergy, Inc.

Subscribed and sworn to before me
this 21 day of December, 2009.


Notary Public
[Stamp of Notary]

SHARON LYNN GEDDES
Notary Public - State of New York
Comm. ID Number: _____
Qualified in Erie County
My Commission Expires 4-7-12