OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

ORIGINAL

Notice of Administrative Law Judge's Ruling

09-0616

Notice is hereby given that the Administrative Law Judge has completed a preliminary review of the application filed by Midwest Energy, Inc. ("Applicant") in Docket No. 09-0616, and hereby rules that a verified response, containing the information and clarifications described below, shall be filed with the Commission.

If filed electronically via the Commission's e-docket system, this verified response shall be filed with the Chief Clerk of the Commission on or before March 9, 2010. If the filing is made by non-electronic means, then March 9, 2010 is a mailing date. Applicant shall serve a copy of its response on the Administrative Law Judge (syoder@icc.illinois.gov) and on Mr. Steve Hickey of the Commission (shickey@icc.illinois.gov). For purposes of doing so, March 9, 2010 is a receipt or "in hand" date, not later than 5:00 P.M., by electronic mail, Fax (217-524-8928) or otherwise.

Miscellaneous Additional Requirements

The Applicant is directed to disclose whether it is licensed as an agent, broker or consultant in any other jurisdictions, similar to the licensure required under Section 16-115C of the Illinois Public Utilities Act.

Midwest Energy Inc. Response - No

The Applicant is direct to disclose whether it has had any complaints filed against it for its provision of any services in the electric or gas industry in this or any other jurisdiction. If yes, the Applicant is directed to include in its response the nature of the complaint, the jurisdiction, and the ultimate resolution.

Midwest Energy Inc. Response - No

CHIEF CLERK'S OFFICE
2010 MAR -4 A 11:03
ILLINOIS COMMERCE COMMISSION

Section 454.80 Financial Licensing Requirements

Section 454.80 provides as follows:

a) The applicant shall execute and maintain a license or permit bond issued by a qualifying surety or insurance company authorized to transact business in the State of Illinois in favor of the People of the State of Illinois. The amount of the bond shall equal $5,000. The bond shall be conditioned upon the full and faithful performance of all duties and obligations of the applicant as an ABC and shall be valid for a period of not less than one year. The cost of the bond shall be paid by the applicant. The applicant shall file this bond as part of its application for certification.

The Applicant is directed to submit an original license or permit bond in this proceeding pursuant to Section 454.80. Additionally, the Applicant is instructed to

remove all Staff disclaimer and sample bond language that was included on the ABC Sample License or Permit Bond available on the Commission website to help ABC applicants. The Applicant must ensure that the surety's full name is on the license or permit bond.

Midwest Energy Inc. Response – The original permit bond will be sent via FedEx for delivery on March 4th, 2010. An electronic copy will be emailed on March 3rd, 2010

Gregory J Cibinski

3/3/2010

Midwest Energy Inc.

Date

Gregory J Cibinski

Principal

Subscribed and sworn to before me

this 3rd day of March 2010
at Willowbrook, County of DuPage, State of Illinois. (2 page document)

Notary Public

"OFFICIAL SEAL"
JUDITH R. SMOLIN
Notary Public, State of Illinois
My Commission Expires Oct. 25, 2011
Commission No. 385872

License or Permit Bond for ABC Applicants

License or Permit Bond

License or Permit Bond No 6672957
AMERICAN STATES INSURANCE COMPANY
10014th AVENUE, SUITE 1700 SEATTLE WA 98154

KNOW ALL MEN BY THESE PRESENTS, That we, **MIDWEST ENERGY INC.** as Principal, and **AMERICAN STATES INSURANCE COMPANY**, a **Indiana** Corporation, and authorized to do business in Illinois, as Surety, are held and firmly bound unto THE PEOPLE OF THE STATE OF ILLINOIS as Obligee, in the sum of FIVE THOUSAND AND NO/100 Dollars ($5,000.00), for which sum, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, by these presents.

THE CONDITIONS OF THIS OBLIGATION ARE SUCH, That WHEREAS, the Principal has been or is about to be granted a license or permit to do business to operate as an ABC (Agent, Broker, or Consultant) under 220 ILCS 5/16-115C and is required to execute this bond under 83 Illinois Administrative Code Part 454.80 by the Obligee.

NOW, Therefore, if the Principal fully and faithfully perform all duties and obligations of the Principal as an ABC, then this obligation to be void; otherwise to remain in full force and effect.

License or Permit Bond for ABC Applicants

This bond may be terminated as to future acts of the Principal upon thirty (30) days written notice by the Surety; said notice to be sent to 527 East Capitol Avenue, Springfield, Illinois 62701, of the aforesaid State of Illinois, by certified mail.

Dated this 3RD day of NOVEMBER, 2009

MIDWEST ENERGY INC. Principal

by: Gregory J Gibinski

AMERICAN STATES INSURANCE COMPANY Surety

by: Sean P. Briody

SEAN BRIODY
ATTORNEY-IN-FACT

POWER
OF ATTORNEY

KNOW ALL BY THESE PRESENTS:

That **AMERICAN STATES INSURANCE COMPANY,** an Indiana corporation, does hereby appoint

SEAN BRIODY

Its true and lawful attorney(s)-in-fact, with full authority to execute on behalf of the company the following surety bond:

Surety Bond Number: **6672957**

Principal: MIDWEST ENERGY INC

Bond Amount: Five Thousand Dollars And Zero Cents

DOLLARS ($ 5,000.00)

, and to bind **AMERICAN STATES INSURANCE COMPANY** thereby as fully as if such instruments had been duly executed by its regularly elected officers at its home office.

IN WITNESS WHEREOF, AMERICAN STATES INSURANCE COMPANY has executed and attested these presents

this 3RD day of NOVEMBER , 2009

Dexter R. Legg

Dexter R. Legg, Secretary

T A Mikolajewski

Timothy A. Mikolajewski, Vice President

CERTIFICATE

Extract from the By-Laws of **AMERICAN STATES INSURANCE COMPANY:**

"Article 8. Section 8.1.1. - FIDELITY AND SURETY BONDS . . . the President, any Vice President, the Secretary and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the corporation fidelity and surety bonds and other documents of similar character issued by the corporation in the course of its business . . . On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the corporation, the seal, or a facsimile thereof, may be impressed of affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

I, Dexter R. Legg, Secretary of **AMERICAN STATES INSURANCE COMPANY,** do hereby certify that the foregoing extracts of the By-Laws of this corporation, and of a Power of Attorney Issued pursuant thereto, are true and correct and that both the By-Laws and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 3RD day of NOVEMBER , 2009

AMERICAN STATES INSURANCE COMPANY SEAL INDIANA

Dexter R. Legg

Dexter R. Legg, Secretary

S-4910/AS 4/05

XDP

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

March 1, 2010

Midwest Energy Inc. Application for Licensure of Agents, Brokers and Consultants under Section 16-115C of the Public Utilities Act.	: : : : : : :	09-0616 **SERVED ELECTRONICALLY**

Mark Beci
Principal Owner
Midwest Energy Inc.
485 S. Frontage Rd., Ste. 303
Burr Ridge, IL 60527
mbeci@midwestenergyinc.com
630-887-8881

Eric Wilen
Atty. for Midwest Energy Inc.
Goldstine Skrodzki Russian Nemec and Hoff, Ltd.
The Prairie Building
835 McClintock Dr., 2nd Fl.
Burr Ridge, IL 60527
ewilen@gsrnh.com

NOTICE OF ADMINISTRATIVE LAW JUDGE'S RULING

Dear Sir/Madam:

Notice is hereby given of the attached Administrative Law Judge's Ruling.

Sincerely,

Elizabeth A. Rolando
Chief Clerk

EAR:lkb
Administrative Law Judge Yoder

cc: Mona Elsaid, ALJ's Assistant, Illinois Commerce Commission, 527 E. Capitol Ave., Springfield, IL 62701, melsaid@icc.illinois.gov
Phil Hardas, ALJ's Assistant, Illinois Commerce Commission, 527 E. Capitol Ave., Springfield, IL 62701, phardas@icc.illinois.gov