

ILLINOIS COMMERCE COMMISSION

DTE Energy Supply, Inc. :
: :
Amended Application for Certificate of : Docket No. 10-0119
Service Authority under Section :
16-115 of the Public Utilities Act. :

APPLICATION

DTE Energy Supply, Inc. ("Applicant"), hereby requests that the Illinois Commerce Commission ("Commission") grant it a certificate of service authority pursuant to Section 16-115 of the Public Utilities Act ("Act"). In support of its application, Applicant states as follows:

GENERAL [451.20, 451.30, 451.210, and 451.310]

- 1. Applicant's name and street address: [451.20(e)(1)]

DTE Energy Supply, Inc.
414 S. Main St., Suite 200
Ann Arbor, MI 48104

- 2. Related Information:

- Type of business entity: **Corporation**
- Jurisdiction in which and under whose laws business entity was created: **Michigan**
- Other names under which Applicant does business (D/B/A): **n/a**
- Federal Employer Identification Number: **38-3405708**
- Registered Agent in Illinois: **CT Corporation System**

- 3. Contact Persons for the following:

- a) issues related to processing this application,
Marcia L. Hissong
Counsel
414 S. Main St., Suite 200
Ann Arbor, MI 48104
Phone: 734-887-2042
Fax: 734-887-2235
Email: hissongm@dteenergy.com

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- b) issues related to retail customers, including complaint resolution,

George Deljevic
Director – Retail Operations
414 S. Main St., Suite 200
Ann Arbor, MI 48104
Phone: 734-887-2239
Fax: 734-887-4060
Email: deljevicg@dteenergy.com

and

- c) technical issues, including scheduling of generation, transmission, and distribution, and issues arising from relationships with other providers of electric services.

Raymond Wieszczyk
Director – Operations
414 S. Main St., Suite 200
Ann Arbor, MI 48104
Phone: 734-887-2041
Fax: 734-887-4060
Email: wieszczykr@dteenergy.com

Rose Henderson
Principal Business Analyst
414 S. Main St., Suite 200
Ann Arbor, MI 48104
Phone: 734-887-4113
Fax: 734-887-4060
Email: hendersonr@dteenergy.com

Provide each contact person's name, title, mailing address, telephone number, facsimile number, and e-mail address.

4. Applicant is licensed to do business in the State of Illinois, as demonstrated in **Attachment A**. [451.20(f)(1)]
5. Applicant will publish notice of its application for certification in the Official State Newspaper within 10 days following its filing of the application for certification. The applicant will file proof of publication with the Clerk of the Commission when notice publication has been accomplished. [451.30(a)]

The Applicant filed proof of publication with the Chief Clerk's Office on February 22, 2010 as demonstrated on **Attachment B**.

6. Applicant's employees that will be installing, operating, and maintaining generation, transmission, or distribution facilities within the State of Illinois, as well as any entity with which the Applicant has contracted to perform those functions, have the requisite knowledge, skills, and competence to perform those functions in a safe and responsible manner in order to provide safe and reliable service in accordance with the criteria stated in Section 16-128(a) of the Act [220 ILCS 5/16-128(a)], as demonstrated in Attachment __. [451.20(f)(2)] [If applicable]

N/A

7. Description of Applicant's business. [451.30(c)(1)]

Applicant is a full service retail energy supplier. Applicant intends to provide electricity supplies and related services to Illinois end users, drawing on the resources and expertise of the DTE Energy family of companies. Applicant's parent company – DTE Energy Trading, Inc., which is providing all services for Applicant's operations – is an active participant in the physical and financial markets for capacity and energy in all Eastern Interconnect regions, providing energy sourcing and risk management solutions to investor-owned and municipal utilities, cooperatives, large industrial energy users, unregulated retail energy suppliers, and independent power producers. In addition, Applicant manages substantial gas storage and transportation assets and provides associated services to its customer base. Applicant's ultimate parent company – DTE Energy Co. – is a NYSE listed, Fortune 500 holding company that owns and operates major gas and electric utility companies (Detroit Edison Co. and Michigan Consolidated Gas Co.), gas pipeline and storage operations, industrial energy facilities, and major wholesale energy marketing and trading operations.

8. Geographic area in which Applicant seeks to be authorized to offer service (if less than entire State, provide detailed description) and the types of services it intends to offer. [451.30(c)]

Applicant seeks authorization to offer service in the service territories of Commonwealth Edison and the Ameren utilities. Applicant intends to offer firm, full service electric supplies to commercial and industrial end-users in the State, allowing customers to manage their energy prices according to their business needs, and facilitating vibrant competitive markets and choices in Illinois.

9. Identification of the Part 451 subpart (Subpart B, C, D, or E) under which the applicant is filing. Description of the characteristics of customer group(s) Applicant proposes to serve. [451.30(c)(2)]

Applicant is filing under Part 451 Subpart C. Applicant intends to serve commercial and industrial customers with annual electrical consumption greater than 15,000 kWh.

10. Proof of notification to each utility of Applicant's intent to serve in the utility's service area is provided in **Attachment C**. [451.30(c)(3)]
11. Applicant certifies that it:
 - a) will comply with all applicable Federal, State, regional and industry rules, practices, policies, procedures and tariffs for the use, operation, maintenance, safety, integrity, and reliability of the interconnected electric transmission system including the rules and operating guidelines and procedures of the regional or national electric reliability council(s) or organization(s) and their successors for any portion of the state in which the applicant is certified to provide retail electric service); [451.20(a)]
 - b) will provide service only to retail customers that are eligible to take delivery services; [451.20(b)]
 - c) will comply with informational and reporting requirements that the Commission may by rule establish; [451.20(c)]
 - d) will comply with informational and reporting requirements that the Commission may establish regarding the provision of information required by Section 16-112 of the Act; [451.20(d)]
 - e) complies with all other applicable laws and regulations and Commission rules and orders; [451.20(g)]
 - f) complies with all terms and conditions required by Sections 16-115A(a), (b), and (f), 16-119, 16-123, 16-125(b) and (c), 16-127, and 16-128(a) of the Act, to the extent those Sections have application to the services being offered by the alternative retail electric supplier; [451.30(d)(2)] and
 - g) for Subpart C and D applicants, complies with all terms and conditions required by Section 16-115A(c) of the Act. [451.210 and 451.310(a)]
 - h) will, per Section 16-115(d)(5) of the Public Utilities Act, procure renewable energy resources and that it will source electricity from clean coal facilities, as defined in Section 1-10 of the Illinois Power Agency Act, in accordance with Section 16-115D of the Public Utilities Act.

12. Applicant agrees to submit good faith schedules of transmission and energy in accordance with applicable tariffs. [451.20(a)]
13. Applicant agrees to adopt and follow rules and procedures ensuring that authorizations received from customers, customer billing records, and requests for delivery service transmitted to utilities are retained for a period of not less than two calendar years after the calendar year in which they were created. [451.40(a)]
14. Applicant agrees to adopt and follow rules and procedures to preserve the confidentiality of its customer's data. [451.40(b)]
15. Whether Applicant currently has authority from the Commission to be an ARES, and if so, the Docket Number under which such authority was granted. [(If Applicant currently has a Certificate of Service Authority) Applicant requests that such current authority be consolidated with any authority granted pursuant to this application, under the docket number of this application.]

Applicant does not currently have authority from the Commission to be an ARES. However, Applicant filed the original ARES form on February 16, and was assigned Docket #10-0119.

LICENSE OR PERMIT BOND [451.50]

16. 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 the amount specified in Part 451.50(a) for the appropriate group of customers the Applicant seeks certification to serve. [Attach a copy of the license or permit bond required by Part 451.50(a) and proof that the surety meets the definition of "qualifying surety" as set forth in Part 451.10.]

The original bond was provided in Attachment C of the original application filed February 16, 2010, Docket #10-0119. Applicant does not require its return. Please see Attachment D for Certification Statement.

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

FINANCIAL QUALIFICATIONS [Clearly state 451.110, 451.220, or 451.320—Not applicable to Subpart E Applicants]

17. Applicant meets one of the six financial criteria set forth in Part 451.220(a)(1-6) as demonstrated in **Attachment E**.

Applicant meets the Financial Qualifications for Subpart C, Section 451.220(a)(3). Applicant certifies that it is a member of each RTO for the utility service territories for which Applicant is seeking a certificate (Midwest Independent Transmission System Operator, Inc., or MISO, for the Ameren Utilities service area; PJM Interconnection, LLC, or PJM, for the Commonwealth Edison service area), and that it intends to purchase 100% of its physical energy from the RTOs for delivery to the service territories for which Applicant is seeking a certificate.

Evidence of membership in the RTOs – in the form of executed agreements and written confirmation – is included in Attachment E hereto.

18. Applicant will not provide electric power and energy with property, plant and equipment that it owns, controls, or operates.

TECHNICAL QUALIFICATIONS [Clearly state 451.230]

19. Applicant will not use electric generation, transmission or distribution facilities that it owns, controls or operates in serving customers. Applicant meets the requirements of 451.230 as demonstrated in **Attachment F**.

Applicant meets all requirements for Technical Qualifications pursuant to Part 451.230, via a Services Agreement (which is included in Attachment F), with its parent company, DTE Energy Trading, Inc. Applicant's parent has been an active wholesale power market participant throughout the Midwest and Northeast since 1997, and has ample experience in scheduling and dispatching, tagging, regional transmission organization requirements, Open Access Transmission Tariff ("OATT"), reservations, etc. Applicant maintains a scheduling facility with 24 hour manned operation. Applicant's 24 hour contact information is as follows:

**DTE Energy Supply, Inc.
414 S. Main St., Suite 200
Ann Arbor, MI 48104
Phone 734-887-2220
Fax: 734-887-4028**

See Attachment F for narratives of key technical personnel.

MANAGERIAL QUALIFICATIONS [Clearly state 451.240]

20. Applicant meets the managerial qualifications set forth in Part 451.240 as demonstrated in **Attachment F**, via a Services Agreement (which is included in Attachment F), with its parent company, DTE Energy Trading Inc. See

Attachment F for narratives and/or expertise of key managerial personnel and a corporate organizational chart identifying key personnel at DTE Energy Trading, Inc. identifying the persons who are being used to meet the requirements of Part 451.240(b).

21. Pursuant to Part 451.250, Applicant is relying on one or more agents or contractors to meet the technical and managerial requirements of Part 451.230 and 451.240. Via the Services Agreement included in Attachment F, Applicant is relying on its parent company – DTE Energy Trading, Inc. - to meet the Technical and Managerial Qualification requirements of Parts 451.230 and 451.240. **Attachment F** includes narratives for DTE Energy Trading Inc. key personnel showing clearly how each applicable technical or managerial experience requirement is being met, and a corporate organizational chart identifying key personnel at DTE Energy Trading, Inc. [451.250(a)] Applicant certifies that each such agent or contractor will comply with all the sections of Part 451 that are applicable to the functions to be performed by the respective agent or contractor. [451.250(b)]

FINANCIAL QUALIFICATIONS FOR SINGLE BILLING SERVICE [451.510]

22. **Applicant does not intend to provide single billing services.**

GENERAL PROVISIONS FOR APPLICANTS FILING UNDER SUBPART D [451.310]

23. Applicant certifies that its marketing materials which make statements concerning prices, terms and conditions of service contain information that adequately discloses the prices, terms and conditions of the products or services that the Applicant is offering or selling to the customer. [451.310(c)(1)]
24. Applicant certifies that before any customer is switched from another supplier, Applicant will give the customer written information that adequately discloses, in plain language, the prices, terms and conditions of the products and services being offered and sold to the customer. [451.310(c)(2)]
25. Applicant certifies it will provide documentation to the Commission and to customers that substantiates any claims made by the Applicant regarding the technologies and fuel types used to generate the electricity offered or sold to customers. [451.310(c)(3)]
26. Applicant certifies it will provide to the customer itemized billing statements that describe the products and services provided to the customer and their prices; and an additional statement, at least annually, that adequately discloses the average monthly prices, and the terms and conditions, of the products and services sold to the customer. [451.310(c)(4)]
27. Applicant certifies it will include materials comprising the consumer education program (pursuant to Section 16-117 of the Act [220 ILCS 5/16-117]) with all

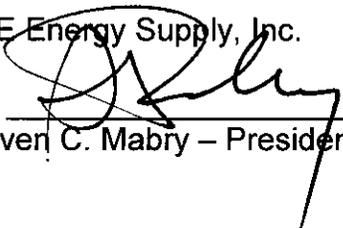
initial mailings to potential residential and small commercial retail customers and before executing any agreements or contracts with such customers, and that Applicant will provide these materials at no charge to residential and small commercial retail customers upon request. [451.310(d) and 451.310(e)]

28. Applicant certifies it will provide to residential and small commercial retail customers on a semiannual basis information on how to obtain a list of alternative retail electric suppliers that have been found in the last 3 years by the Commission (pursuant to Section 10-108 of the Act [220 ILCS 5/10-108]) to have failed to provide service in accordance with the terms of their contracts (pursuant to Section 16-117(g)(4)(C) of the Act). [451.310(f)]

WHEREFORE, Applicant requests that the Commission grant its application for service authority to serve retail customers under Part 451 Subpart C, commercial and industrial customers with annual electrical consumption greater than 15,000 kWh in the service territories of Commonwealth Edison and the Ameren utilities.

Respectfully submitted,

DTE Energy Supply, Inc.

By: 
Steven C. Mabry – President

HVA

Compiled by:
Marcia L. Hissong
Counsel
DTE Energy Supply, Inc.
414 South Main St., Suite 200
Ann Arbor, MI 48104
Ph. 734-887-2042
Fax 734-887-2235

VERIFICATION

STATE OF MICHIGAN)
COUNTY OF WASHTENAW)

ss:

Steven C. Mabry, being first duly sworn, deposes and says that he is the President of DTE Energy Supply, Inc.; that he has read the foregoing Application of DTE Energy Supply, 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.



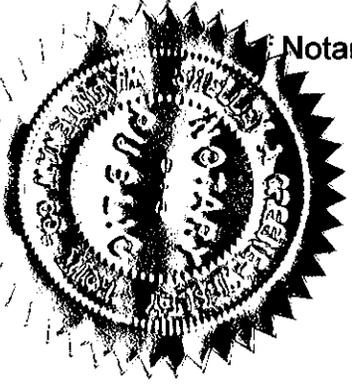
Steven C. Mabry

HVS

Subscribed and sworn to before me
this 12th day of March, 2010.


Notary Public

[Notary]



SHELLEY A. GREENE-WESLEY
NOTARY PUBLIC, STATE OF MI
COUNTY OF WASHTENAW
MY COMMISSION EXPIRES Feb 7, 2016
ACTING IN COUNTY OF *Washtenaw*