

March 10, 2010

ORIGINAL

ILLINOIS ¹⁰⁰¹
COMMERCE COMMISSION

2010 MAR 16 A 11:04

Bmark Energy, Inc.

09-0585

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

SERVED ELECTRONICALLY CLERK'S OFFICE

Elizabeth Rolando
Chief Clerk
Illinois Commerce Commission
527 E. Capital Ave.
Springfield, IL 62701

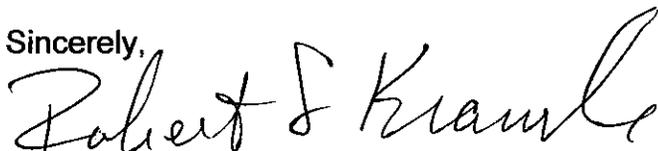
RESPONSE TO NOTICE OF ADMINISTRATIVE LAW JUDGE'S RULING

Dear Sir/Madam:

The Applicant is responding to Administrative Law Judge's Ruling of February 3, 2010 as follows:

1. Document indicating the company hierarchy
2. License or Permit Bond for ABC Applicants (which was part of the original filed)

Sincerely,



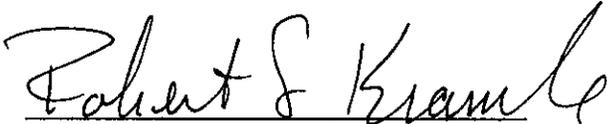
Robert S. Kramb
Applicant

cc: Stephen Yoder, Administrative Law Judge, 527 E. Capitol, Ave., Springfield, IL 6270, syoder@icc.illinois.gov, Phil Hardas, ALJ's Assistant, Illinois Commerce Commission, 527 E. Capitol Ave., Springfield, IL 62701, phardas@icc.illinois.gov, Greg Rockrohr, ALJ's Assistant, Illinois Commerce Commission, 527 E. Capitol, Ave., Springfield, IL 62701, grockroh@icc.illinois.gov

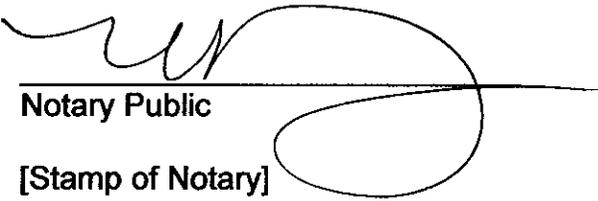
VERIFICATION

STATE OF CALIFORNIA)
COUNTY OF SAN LUIS OBISPO)

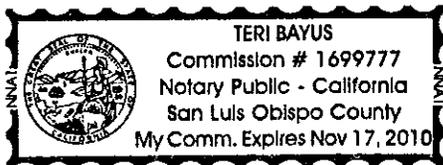
Robert S. Kramb, being first duly sworn, deposes and says that he is an Officer of Bmark Energy, Inc.; that he has read the attachments and that the statements contained in the attachments are true, correct and complete to the best of his knowledge, information and belief and that the original License or Permit Bond was received and filed with the original Application on November 30, 2009.


[Name of person verifying application]

Subscribed and sworn to before me
this 9th day of March, 2010.


Notary Public

[Stamp of Notary]



Section 454.60 Managerial Licensing Qualifications

Organizational chart 454.60(a)

Robert S. Kramb - President, Treasurer

Meridee A. Kramb - Vice President, Secretary

License or Permit Bond for ABC Applicants

[The requirements for a license or permit bond are described in 83 Ill. Adm. Code 454.80. The following Sample License or Permit Bond 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 for a License to be an Agent, Broker, or 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 following sample 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.]

License or Permit Bond

License or Permit Bond No 0517850
International Fidelity Insurance Company
One Newark Center, 20th Floor, Newark, New Jersey 07102-5207

KNOW ALL MEN BY THESE PRESENTS, That we, Bmark Energy, Inc as Principal, and International Fidelity Insurance Company a New Jersey Corporation, and authorized to do business in Illinois, as Surety, are held and firmly bound unto THE PEOPLE OF THE STATE OF ILLINOIS as Oblige, 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 Oblige.

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.

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 27th day of October, 2009

Bmark Energy, Inc.

Principal

by:

Robert S. Kramel

International Fidelity Insurance Company

Surety

by:

Barbara Lindsay Sutton
Barbara Lindsay Sutton, Attorney-in-fact

POWER OF ATTORNEY INTERNATIONAL FIDELITY INSURANCE COMPANY

HOME OFFICE: ONE NEWARK CENTER, 20TH FLOOR
NEWARK, NEW JERSEY 07102-5207

KNOW ALL MEN BY THESE PRESENTS: That INTERNATIONAL FIDELITY INSURANCE COMPANY, a corporation organized and existing under the laws of the State of New Jersey, and having its principal office in the City of Newark, New Jersey, does hereby constitute and appoint

**BARBARA LINDSAY SUTTON, LEONORE WOOLPERT, MYRNA SMITH, KERRY POLLOCK,
GREGORY R. MORRIS**

San Luis Obispo, CA.

its true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise, and the execution of such instrument(s) in pursuance of these presents, shall be as binding upon the said INTERNATIONAL FIDELITY INSURANCE COMPANY, as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal office.

This Power of Attorney is executed, and may be revoked, pursuant to and by authority of Article 3-Section 3, of the By-Laws adopted by the Board of Directors of INTERNATIONAL FIDELITY INSURANCE COMPANY at a meeting called and held on the 7th day of February, 1974.

The President or any Vice President, Executive Vice President, Secretary or Assistant Secretary, shall have power and authority

- (1) To appoint Attorneys-in-fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and,
- (2) To remove, at any time, any such attorney-in-fact and revoke the authority given.

Further, this Power of Attorney is signed and sealed by facsimile pursuant to resolution of the Board of Directors of said Company adopted at a meeting duly called and held on the 29th day of April, 1982 of which the following is a true excerpt:

Now therefore the signatures of such officers and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.



IN TESTIMONY WHEREOF, INTERNATIONAL FIDELITY INSURANCE COMPANY has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 16th day of October, A.D. 2007.

INTERNATIONAL FIDELITY INSURANCE COMPANY

STATE OF NEW JERSEY
County of Essex

Secretary

On this 16th day of October 2007, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said he is the therein described and authorized officer of the INTERNATIONAL FIDELITY INSURANCE COMPANY; that the seal affixed to said instrument is the Corporate Seal of said Company; that the said Corporate Seal and his signature were duly affixed by order of the Board of Directors of said Company.



IN TESTIMONY WHEREOF, I have hereunto set my hand affixed my Official Seal, at the City of Newark, New Jersey the day and year first above written.

A NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Nov. 21, 2010

CERTIFICATION

I, the undersigned officer of INTERNATIONAL FIDELITY INSURANCE COMPANY do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Section of the By-Laws of said Company as set forth in said Power of Attorney, with the ORIGINALS ON IN THE HOME OFFICE OF SAID COMPANY, and that the same are correct transcripts thereof, and of the whole of the said originals; and that the said Power of Attorney has not been revoked and is now in full force and effect

IN TESTIMONY WHEREOF, I have hereunto set my hand this 27th day of October, 2009

Assistant Secretary

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

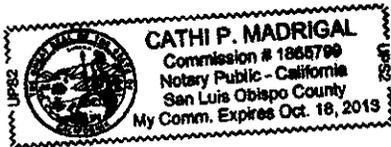
STATE OF CALIFORNIA

County of San Luis Obispo

On October 27, 2009 before me, Cathi P. Madrigal, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Barbara Lindsay Sutton
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Signature Cathi P Madrigal
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: License or Permit Bond

Document Date: October 27, 2009 Number of Pages: 2

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Barbara Lindsay Sutton

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer is Representing: International Fidelity Insurance Company

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer is Representing: _____