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CHIEF CLERK'S OFFICE

Endurant Energy LLC

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

Docket No.

10-0219

APPLICATION

Endurant Energy LLC ("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:
**Endurant Energy LLC
One E. Oak Hill Drive, Suite 304
Westmont, IL 60559**
2. Related Information:
 - Type of business entity: **LLC**
 - Jurisdiction in which and under whose laws business entity was created: **State of Delaware**
 - Other names under which Applicant does business (D/B/A): **Endurant Energy Systems, LLC**
3. Contact Persons for the following:
 - a) issues related to processing this application
**Kirk Molzahn, Vice President- Finance and Accounting
One E. Oak Hill Drive, Suite 304
Westmont, IL 60559
(630) 323-5753
Email-kirk.molzahn@endurantenergy.com**
and
 - b) issues related to complaint resolution [454.130]
**Thomas W. Smith, President and CEO
One E. Oak Hill Drive, Suite 304
Westmont, IL 60559
(630) 323-5318
Email-thomas.smith@endurantenergy.com**

Provide each contact person's name, title, mailing address, telephone number, and e-mail address for a) and b).

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

In addition to the development and management of sustainable distributed energy and power generation assets, Endurant provides consulting and advisory services related to energy procurement, power distribution, back-up generation and system efficiency and control innovations. The company assists facility owners, land developers and municipalities in Master Energy Planning, landfill gas-to-electricity installation and sustainable District Energy deployment. Endurant helps customers leverage advanced technologies to hedge high/volatile energy prices, improve energy reliability, reduce environmental impacts and increase asset value.

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)]

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)]

**Endurant Energy LLC
One E. Oak Hill Drive, Suite 304
Westmont, IL 60559
Phone: (630) 915-1970
Fax: (630) 734-3088**

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 1. Attachment 2 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 1 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).

TECHNICAL LICENSING QUALIFICATIONS [Section 454.70]

- 9. Applicant meets the technical qualifications set forth in Part 454.70, as demonstrated in Attachment 1. Attachment 1 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.

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.]

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].

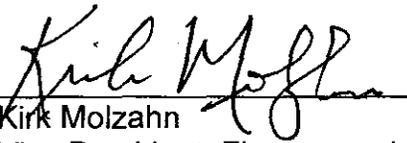
REPORTING REQUIREMENTS [SECTION 454.110]

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

Respectfully submitted,

Endurant Energy LLC

By: 
Kirk Molzahn
Vice President, Finance and Accounting

No attorney was used in the preparation of this application

VERIFICATION

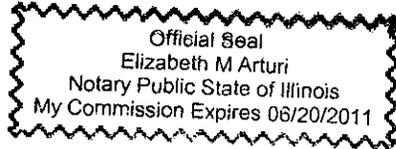
STATE OF IL
COUNTY OF DuPage

_____, being first duly sworn, deposes and says that she/he is [the]
[a(n)] _____ [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.

[Signature]
[Name of person verifying application]

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

[Signature]
Notary Public



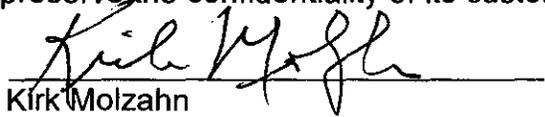
CONFIDENTIAL

Certifications by Endurant Energy LLC

Endurant Energy LLC certifies that it 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;
- shall comply with all terms and conditions required by Section 16-115C of the Illinois Public Utilities Act;
- shall ensure any person who action on behalf of Endurant Energy LLC will comply with all sections of Part 454 applicable to the function or function to be performed;
- shall remain in compliance with the provisions of the Illinois Public Utilities Act;
- 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
- shall preserve the confidentiality of its customers' data.

Certified by:


Kirk Molzahn
Vice President, Finance and Accounting

Endurant Energy LLC certifies that it shall:

- Disclose in plain language in writing the nature of the services offered by it;
- 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;
- 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;
- Not utilize false, misleading, materially inaccurate, defamatory, or otherwise deceptive language or materials in the soliciting or providing of its services;
- Maintain copies of all marketing materials disseminated to third parties for a period of not less than three years;

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Certifications by Endurant Energy LLC-continued

- Maintain copies of all disclosure statements required in subsections (a) and (b) for a period of not less than three years;
- 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
- 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].

Certified by:



James Belden

Vice President, Procurement and Solutions

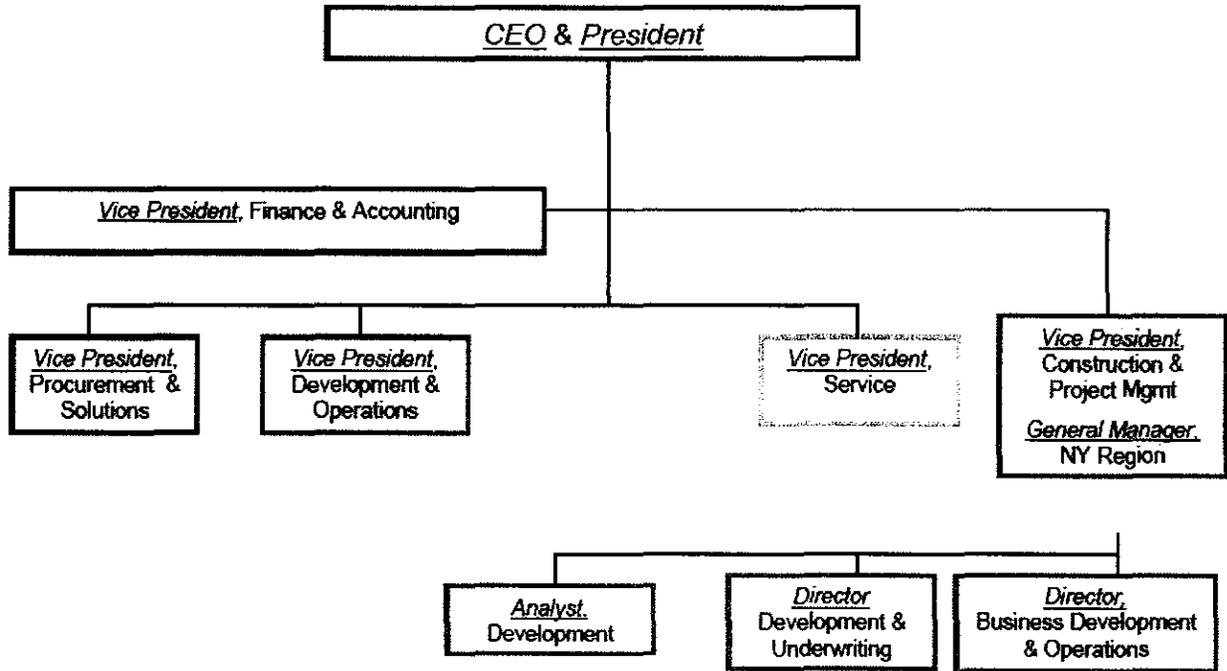
Attachment 1

Vice President-Procurement and Solutions

The Vice President-Procurement and Solutions leads Endurant's procurement and solution efforts out of the Chicago office. He is an energy industry veteran with over 30 years of professional experience who started his career as an environmental engineer with oil and natural gas companies in Texas and Illinois. For the past 20 years, he has worked with commercial, industrial, governmental and institutional clients to provide solutions for their electric and natural gas needs. He has extensive experience in the area of utility tariff rate analysis, financial risk management for natural gas and electric supply, retail energy sales and marketing, and energy procurement consulting. The Vice President-Procurement and Solutions received a B.S. degree from Northern Arizona University and an MBA from Northwestern University.

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Attachment 2
Organization Chart



LICENSE BOND FOR RETAIL ELECTRICITY
SUPPLY AGENTS, BROKERS AND CONSULTANTS - ILLINOIS
(Ill. Admin. Code tit. 83, § 454.80)

Bond No. 70885830

Effective Date: March 3, 2010

KNOW ALL PERSONS BY THESE PRESENTS:

That we, Endurant Energy, LLC, as Principal(s), and WESTERN SURETY COMPANY, a corporation authorized to do surety business in the State of Illinois, as Surety, are held and firmly bound unto THE PEOPLE OF THE STATE OF ILLINOIS, as Obligee, in the sum of not to exceed FIVE THOUSAND AND NO/100 DOLLARS (\$5,000.00), for the payment of which well and truly to be made, we bind ourselves and our legal representatives, firmly by these presents.

THE CONDITION of the above obligation is such that WHEREAS the Principal(s) has been or is about to be granted a license 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 pursuant to 83 Illinois Administrative Code Part 454.80.

NOW, THEREFORE, if the Principal(s) shall fully and faithfully perform all duties and obligations as an ABC, then this obligation to be void; otherwise to remain in full force and effect. PROVIDED, this bond is continuous and may be cancelled by the Surety as to future acts of the Principal(s) by giving thirty (30) days notice in writing to the Obligee at 527 East Capitol Avenue, Springfield, Illinois 62701, and the Surety shall be relieved of any further liability under this bond thirty (30) days after such notice is sent by certified mail. Regardless of the number of years this bond shall continue in force, the number of claims made against this bond, and the number of premiums which shall be payable or paid, the Surety's total limit of liability shall not be cumulative from year to year or period to period, and in no event shall the Surety's total liability for all claims exceed the amount set forth above. Any revision of the bond amount shall not be cumulative.

Dated this 4th day of March, 2010.

Endurant Energy, LLC, Principal

By _____

_____, Principal

By _____

WESTERN SURETY COMPANY, Surety

By H. Dahlstrom H. Dahlstrom, Asst Sec.

STATE OF SOUTH DAKOTA }
County of Minnehaha }

SS

ACKNOWLEDGMENT OF SURETY
(Corporate Officer)

On this 4th day of March, 2010, before me, a Notary Public in

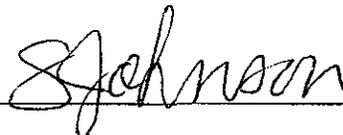
H. Dahlstrom, Ass't Sec.

and for said County, personally appeared _____
personally known to me, who being by me duly sworn, did say that he is the aforesaid officer of WESTERN SURETY
COMPANY, a corporation duly organized and existing under the laws of the State of South Dakota, that the seal affixed to the
foregoing instrument is the corporate seal of said corporation, that the said instrument was signed, sealed and executed on
behalf of said corporation by authority of its Board of Directors, and further acknowledge that the said instrument and the
execution thereof to be the voluntary act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above
written.

My commission expires

S. JOHNSON
My Commission Expires 5-16-2011



Notary Public