

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

*Application for Licensure of
Agents, Brokers, and Consultants
under Section 16-115C*

of the Public Utilities Act of The Illinois Commerce Commission

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Application

Tritium Energy Consulting, L.L.C., a Texas based limited liability company ("TEC" and "Applicant"), hereby requests that the Illinois Commerce Commission ("Commission") grant a license as an Agent, Brokers, Consultants ("ABC") pursuant to Section 16-115C of the Public Utilities Act (the "Act"). In support of its application, Applicant states as follows.

GENERAL

1. Applicant's name & street address:

Tritium Energy Consulting L.L.C.
311 East Nakoma
San Antonio, TX 78216-2706

2. Related Information:

Type of Entity - Limited Liability Company (LLC)
State of Incorporation - State of Texas
Other names - None

3. Contact Person for both this application & complaint resolutions:

John Alexander Oberman, President & Sole Principal
311 East Nakoma
San Antonio, TX 78216-2706
phone:(210) 394-8824
aoberman@thetritium.com

4. Description of Applicant's business:

Tritium Energy Consulting L.L.C. ("TEC"), is a Texas limited liability company that will offer consulting and energy brokerage services as an ABC in the State of Illinois. TEC provides end users of electricity and gas consulting services for the purchase of their energy commodities including but not limited to; strategic knowledge set, competitive bidding, non-exclusive supplier/broker agreements, transparency and disclosure of commissions and continued management throughout the contract term. TEC's interest is vested in the cost performance of its clients' energy commodities costs through unparalleled service.

5. Statement of support that the Applicant meets the requirements of Section 16-115C of the Act:

Tritium Energy Consulting LLC (TEC) is a Texas limited liability company (*Exhibit A*) and has filed all documentation to register and conduct business in the State of Illinois (*Exhibit B*).

6. Applicant's registered agent with the Secretary of State of the State of Illinois:

Illinois Corporation Service Company
801 Adlai Stevenson Drive
Springfield, IL 62703-4261

7. Applicant certifies that it:

a) is licensed to do business in the State of Illinois and is in compliance with all other laws, regulations and Commission rules and orders with [454.40(c)(2)] (see *Exhibit B*).

b) will comply with all terms and conditions required by Section 16-115C of the Act; [454.40(d)(2)].

c) ensures that any person acting on behalf of TEC will comply with all sections of Part 454 applicable to the functions or functions to be performed.

d) shall remain in compliance with the provision of Act and Part 454.

e) shall ensure all records and authorizations from customers are retained for a period not less than 3 calendar years in which they were created; [454.100(a)].

f) shall preserve the confidentiality of its customer's information and data.

8. Managerial Licensing Qualifications [Sections 454.60]

John Alexander Oberman, president and sole member of TEC, holds 4+ years experience in restructured natural gas and power markets and energy industry experience. Mr. Oberman's resume is attached as *Exhibit C*. Mr. Oberman has completed the Association of Energy Engineers (AEE) Certified Energy Procurement Professional (CEP) certification (*Exhibit D*) which covers the Fundamentals of Buying and Selling Energy (*Exhibit D*) in restructured markets. Mr. Oberman is also a Member of the Association of Energy Engineers (AEE), (*Exhibit D*) which is comprised of individuals in the industry who publish literature, promulgate ethics, and regularly meet and discuss energy management from supply side, demand and the gamut of the energy industry.

9. Technical Licensing Qualifications [Section 454.70]

Applicant meets the technical licensing qualifications exceeding one year in consulting and brokerage in the electric industry and 18 months in Illinois (see resume, *Exhibit C*). Additionally, John Alexander Oberman has completed professional education through the Association of Energy Engineers in the class of "The Fundamentals of Buying and Selling Energy" (see *Exhibit D*) At this time, John Alexander Oberman is the sole member and president of the Applicant (TEC).

10. Financial Licensing Requirements [Section 454.80]

As required, Applicant has executed and provided a licensing and permit bond to the State of Illinois in the amount of \$5,000 which is attached as *Exhibit E*.

11. Code of Conduct [Section 454.90]

a. Nature of Services

TEC markets its services to commercial and business end-users of natural gas and electricity in restructured powered markets of Illinois, Pennsylvania and Texas (TEC does not market to residential consumers). These services include but are not limited to unique knowledge sets regarding the strategic purchasing of gas and electricity resulting in the lowering of energy commodity costs of its clients. TEC executes power marketing agreements with suppliers of gas and electricity in respective states and in the event this supplier is the winning quote to supply energy, then TEC's client will execute a contract with that supplier. The supplier agrees to pay TEC a commission for its services, the amount of which is disclosed to TEC's client (see *Exhibit F*). This fee-disclosure is a trait that is unique to TEC because of its philosophy of complete transparency throughout the entire negotiation process (*the majority of energy brokers do not disclose their commissions to their clients*). After contract execution, TEC is paid by the supplier "as power flows" while continuing the management of TEC's client's energy commodities contracts.

b. Anticipated Remuneration

TEC discloses its commission to be paid by the winning energy supplier to be set at 3%. In the event the amount received is greater than 3%, any excess of 3% will be split equally between TEC and TEC's client. TEC discloses this commission structure to its clients in the "Tritium Energy Consulting Agreement" (*Exhibit F*). Also, see Item 11.a. above.

c. TEC will not hold itself unaffiliated or independent from any RES (Retail Electric Supplier) or use any language to give that impression.

d. TEC will not use defamatory, deceptive, misleading or otherwise inaccurate information when soliciting or providing of its services. A staple of TEC is its open and transparent nature in which it conducts its business.

e. TEC will maintain copies of all marketing material disseminated to third parties for a period of not less than three years.

f. TEC will maintain copies of all disclosure statements required in subsections (a) and (b) for a period of not less than three years.

g. TEC will 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.

h. TEC will comply with the requirements of Sections 2EE , 2FF, 2GG and 2HH of the Consumer Fraud and Deceptive Business Practice Act [815 ILCS 505/2EE, 2FF, 2GG , and 2FF].

11. Reporting Requirements [Section 454.110]

TEC agrees to submit annual reporting requirements as required by 454.110.

Verification & Signature Page Following

WHEREFORE, Tritium Energy Consulting, L.L.C., the "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 in the State of Illinois.

Respectfully submitted,
Tritium Energy Consulting, L.L.C.

By: [Signature]
John Alexander Oberman, Sole Principal

VERIFICATION

STATE OF TEXAS)
COUNTY OF BEXAR)

John Alexander Oberman, Sole Principal of Tritium Energy Consulting, L.L.C., being first duly sworn, deposes and says that he is the Sole Principal of Tritium Energy Consulting, L.L.C., the Applicant, and that he has read the foregoing Application of Tritium Energy Consulting, L.L.C. 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.

[Signature]
John Alexander Oberman
Sole Principal of Applicant, Tritium Energy Consulting, L.L.C.

Subscribed & sworn to before me this 29th day of June, 2010, by John Alexander Oberman, an individual and as the sole principal of Tritium Energy Consulting, L.L.C., known to me to be the person whose name is subscribed above and acknowledged to me that he executed the same in the capacity & for the purposes & consideration therein expressed, who being first duly sworn, swears on oath that he is qualified to make the following statement on his behalf and in the capacity therein described:

Affiant, John Alexander Oberman, swears that he is the Sole Principal of Tritium Energy Consulting, L.L.C., the Applicant, and that he has read the foregoing Application of Tritium Energy Consulting, L.L.C. 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.

Subscribed and sworn to before me this 29th day of June, 2010.

[Signature]
Leslie Wedige, Notary Public
[Stamp of Notary]

