

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

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

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Docket No. **10-0509**

APPLICATION

Donald Mulder ("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, He states as follows:

GENERAL [454.40, 454.50, 454.100]

1. Name and street address:

*Donald Mulder
1531 Pendelton Ct
Palatine, IL 60067*

2. Related Information:

- Type of business entity:
Sole Proprietorship
- Jurisdiction:
The State of Illinois (See evidence in Attachment A)
- Other names (D/B/A):
Utility Service Consultants (See evidence in Attachment A)

3. Contact Persons for the following:

a) Issues related to processing this application:

*Donald Mulder
1531 Pendelton Ct
Palatine, IL 60067
847-372-7244
DRMulder@aol.com*

b) Issues related to complaint resolution [454.130]:

*Donald Mulder
1531 Pendelton Ct
Palatine, IL 60067
847-372-7244
DRMulder@aol.com*

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4. Description of the business [454.40(c)(1)]:

For more than six years Donald Mulder, D/B/A Utility Service Consultants has provided electric utility management and advisory services to clients in the not-for-profit sector. He operates like an outsourced staff member with current expertise in the area of utility services to:

- *Review usage history*
- *Determine the impact of expected user and supplier changes*
- *Identify the alternatives available from potential suppliers*
- *Solicit proposals from suppliers selected by the client*
- *Evaluate and compare submitted proposals*
- *Assist in contract execution with the supplier selected by the client*
- *Track performance to ensure it is in accord with the contract*
- *Prepare periodic reports to ensure the expected savings are realized*
- *Manage the entire process annually for the benefit of the client*

Energy contracts are executed with suppliers directly by the clients using the advice Utility Service Consultants.. Donald Mulder seeks to secure nonexclusive supplier agent relationships where possible to earn supplier commissions to offset professional consulting fees. Informal partnerships with other consultants holding complementary agreements in which commissions can be shared are use to expand these opportunities:

<u>Current Consulting Partners</u>		<u>ABC Licensed</u>
<i>Bill Mazurowski</i>	<i>PowerPlay, Inc.</i>	<i>Yes</i>
<i>Ken VanderArk</i>	<i>VanderArk Assoc.</i>	<i>Yes</i>

Nominal consulting fees are sometimes charged to the client. Any supplier commissions earned directly or shared through partners are used to offset these fees. The details surrounding supplier commissions are always shared with the client in writing and most often totally offset all professional consulting fees. Client testimonial letters are included in Attachment B expressing their confidence and satisfaction with this business model and work over the years.

5. *Donald Mulder, D/B/A Utility Service Consultants hereby certifies that he meets all requirements of Section 16-115C of the Public Utilities Act [454.40(d)(1)].*

6. *Donald Mulder, D/B/A Utility Service Consultants, is not now, nor has ever been represented by any agent or lobbyist in the State of Illinois; and no agents have ever been registered with the Illinois Secretary of State.*

7. *Donald Mulder, D/B/A Utility Service Consultants certifies that he:*

- a) *Is licensed to do business by the Secretary of State in the State of Illinois and the Cook County Clerk, and is in compliance with all other applicable laws, regulations and Commission rules and orders; [454.40(c)(2)]. See Attachment A for the relevant documentation.*

- 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 Utility Service Consultants 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 customers' data. [454.100(b)]*

MANAGERIAL LICENSING QUALIFICATIONS [Section 454.60]

8. Managerial qualifications:

Donald Mulder is the sole member of Utility Service Consultants. He is a retired marketing and strategy executive in Fortune 500 companies and Principal of Booz, Allen Hamilton, one of the world's largest international management consulting partnerships. With a graduate degree in Electrical Engineering from the University of Michigan and MBA from the University of Chicago, Don had a enjoyed a successful career as a corporate officer in Information Technology firms (3Com, Centel, Nortel, and US Robotics) and leading Board-level consulting projects for IT firms around the world.

Donald has served as visiting Associate Professor and Chairman of the Business Department at Trinity International University, and taught at the Russian-American Institute in Moscow where he is considered a member of the faculty. Don has taught in business settings as an invited speaker at conferences and seminars during his twenty-year career as a senior executive and CEO of his own award-winning company and fifteen-year R&D career at Bell Laboratories. He has also served as a Director on several corporate and university Advisory Boards.

Besides teaching, Donald's kingdom work includes serving as Treasurer and Member of the Executive Committee of the Evangelical Free Church, Great Lakes District, member of the Executive Service Corps of Chicago conducting pro bono consulting projects for government and not-for-profits. For the past seven years Don has specialized his independent consulting work in his firm, Utility Service Consultants, advising Chicago area churches and private schools on reducing the expense of utility services.

TECHNICAL LICENSING QUALIFICATIONS [Section 454.70]

9. Technical qualifications:

Donald Mulder, D/B/A Utility Service Consultants has been providing electric utility management and advisory services to clients in the not-for-profit sector for over six years. He operates like an outsourced client staff expert able to:

- *Review usage history*
- *Determine the impact of expected user and supplier changes*
- *Identify the alternatives available from potential suppliers*
- *Solicit proposals from suppliers selected by the client*
- *Evaluate and compare submitted proposals*
- *Assist in contract execution with the supplier selected by the client*
- *Track performance to ensure it is in accord with the contract*
- *Prepare periodic reports to ensure the expected savings are realized*
- *Manage the entire process annually for the benefit of the client*

As an Electrical Engineer (MSEE) he has been able recently able to advise two clients on the claims of vendors seeking to sell power correction equipment to reduce electric bills and on decisions related to HVAC systems.

As an MBA he has developed proprietary Excel-based tools capable of generating equivalent ComEd bills based on the client's actual usage for Hourly and Fixed Price programs. He has analyzed the cost of the ComEd Hourly program over the last seven years to illustrate its short term volatility and long term stability. Other custom financial models have been developed to evaluate the effect of pricing components in the proposals of alternative energy suppliers and forecast future costs.

As a retired senior executive in very large business and small entrepreneurial firms and business program professor he is skilled in presenting his work products clearly, concisely and credibly. Two client testimonial letters can be found in Attachment B expressing how clients feel about these contributions.

FINANCIAL LICENSING REQUIREMENTS [SECTION 454.80]

10. *Donald Mulder has executed and maintains a license or permit bond in the name of the People of the State of Illinois issued by State Farm Insurance Company, which is authorized to transact business in the State of Illinois in the amount of \$5,000. [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.] Attachment B contains a copy of this surety bond certificate.*

CODE OF CONDUCT [SECTION 454.90]

11. *Donald Mulder, D/B/A Utility Service Consultants, certifies that he shall:*
- a) *Disclose in plain language in writing the nature of the services offered by Utility Service Consultants;*

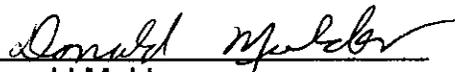
- b) *Disclose in plain language in writing to all persons it solicits the total anticipated remuneration to be paid to it by any third party over the period of the proposed underlying customer contract. Any such disclosure must be made prior to entering into the contract and signed by the customer;*
- 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. *Donald Mulder 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,


By: Donald Mulder
Principal
Utility Service Consultants

VERIFICATION

STATE OF Illinois
COUNTY OF Cook

Donald Mulder, being first duly sworn, deposes and says that he is Applicant; that he has read the foregoing Application, 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.

Donald Mulder
[Name of person verifying application]

Subscribed and sworn to before me
this 20th day of August, 20 10.

[Signature]
Notary Public

[Stamp of Notary]

