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CHIEF CLERK'S OFFICE

MC Squared Energy Services, LLC)
)
Amended ARES Application for Certificate of)
Service Authority Including Single Bill Option)
Under Section 16-115 of the Public Utilities)
Act.)

Docket No. 10-0549

AMENDED ARES APPLICATION INCLUDING SINGLE-BILL OPTION
AUTHORITY

On September 24, 2010, MC Squared Energy Services, LLC ("Applicant" or "MC Squared") requested that the Illinois Commerce Commission ("Commission") grant it a certificate of service authority including Single-Bill Option ("SBO") pursuant to Section 16-115 of the Public Utilities Act in the Commonwealth Edison ("ComEd") service territory. Applicant desires to amend its September 24, 2010 filing to update and supplement the information which supports its request for SBO authority. Accordingly, Applicant states as follows:

1. The corporate name of Applicant is MC Squared Energy Services, LLC and the physical street address as previously reported to the Commission is:

10 South Riverside Plaza
Suite 1800
Chicago, Illinois 60606

2. The related information for MC Squared Energy Services, LLC is the same as previously reported to the Commission, including:
 - a) MC Squared is a Limited Liability Corporation (LLC), organized under the laws of the State of Illinois.
 - b) MC Squared also conducts business under the assumed name of "**mc² – Where Energy Comes From**". MC Squared has secured a registered trademark status with the US Patent & Trademark Office under Registration # 3,669,316.

- c) MC Squared's Federal Employer Identification Number is: **26-3615852**.
- d) MC Squared's Registered Agent in the State of Illinois is:

Mr. Mark J. McGuire
10 South Riverside Plaza, Suite 1800
Chicago, IL 60606

- 3. The following MC Squared persons may be reached at all times regarding issues related to this amended application, retail customer questions including complaint resolution and technical issues related to MC Squared's operation as an ARES:

Name: Mr. Charles C. Sutton
Title: President
Address: 10 South Riverside Plaza, Suite 1800, Chicago, IL 60606
Telephone: (312) 474-6441
Fax: (877) 281-1279
Email: chucksutton@mc2energyservices.com

- 4. MC Squared agrees to accept service by electronic means [451.30(e)].
- 5. MC Squared is licensed to do business in the State of Illinois, as demonstrated in **Attachment A** [451.20(d)(1)].
- 6. MC Squared will publish notice of its amended application for certification in the Official State Newspaper within 10 days following its filing of the amended application for certification. MC Squared will file proof of publication with the Clerk of the Commission within 5 days after publication. [451.30(a)]
- 7. MC Squared will not be installing, operating or maintaining generation, transmission or distribution facilities within the State of Illinois.
- 8. MC Squared provides electricity supply products and services, including but not limited to, fixed rate and index rate offerings to commercial and industrial customers above annual consumption of 15,000 kilowatt hours in the Commonwealth Edison (ComEd) service territory. MC Squared is not affiliated with an Illinois utility.
- 9. MC Squared offers electric power and energy products & services to retail customers in the State of Illinois within the Commonwealth Edison (ComEd) service territory.
- 10. MC Squared Energy Services markets and sells electric power and energy to retail customers with annual electric consumption in excess of 15,000 kilowatt hours in accordance with Section 451.30(c) **SUBPART C**.

11. Proof of notification of MC Squared's intent to serve customers in the Commonwealth Edison service area including Rider SBO service is included in **Attachment B**.

12. MC Squared certifies that it:

- (a) Complies 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 Open Access Same-Time Information System (OASIS) mandated by 18 CFR 37 and the rules and operating guidelines and procedures of the regional or national electric reliability councils(s) and their successors for any portion of the state in which MC Squared is certified to provide retail elect services;
- (b) Complies with information and reporting requirements that the Commission may by rule establish [451.20(b)];
- (c) Complies with the all terms and conditions required by Sections 115A(a), (b), and (f), 16-119, 16-123; 16-125(b) and (c), 16-127, and 16-128(a) or the Act, to the extent those Sections have application the services being offered by the alternative retail electric supplier; and
- (d) Complies with all terms and conditions required by Section 16-115A of the Act. [451.210 and 451.310(a)]

13. MC Squared continues to submit good faith schedules of transmission and energy in accordance with applicable tariffs. [451.20(a)]

14. MC Squared certifies that it will provide for review by Staff on a confidential and proprietary basis data related to contracts for the purchase and sale of electric power and energy. [451.20(b)]

15. MC Squared certifies that it is in compliance with Section 16-115D and Subsection 16-115(d) of the Illinois Public Utilities Act and the specific requirements to procure renewable energy resources as defined in Public Act 095-1027 cited as the Clean Coal Portfolio Standard Law (a/k/a "RPS Act"). MC Squared was an active participant along with Commission staff and other market participants in the workshops and discussions with respect to the implementation of the RPS Act in 2009. MC Squared filed the necessary compliance documentation on August 30, 2010 after the term of the RPS compliance year was completed. MC Squared procured Renewable Energy Certificates (REC's) and utilized the ACP payments based on the applicable electricity load served during the compliance period to satisfy its requirements as an ARES under the RPS Act. [451.20(f)]

16. MC Squared certifies that it will source electricity from clean coal facilities, to the extent required by Section 16-115(d)(5) of the Act and to the extent that such determination is approved the Illinois General Assembly. [451.20(g)].

17. MC Squared adopts and follows 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. In addition to other lawful means of discovery, MC Squared makes these records available by request to the Commission or its Staff on a confidential and proprietary basis, as necessary to carry out the Commission's obligations under the Act. [451.40(a)]
18. MC Squared adopts and follows rules and procedures to preserve the confidentiality of its customer's data. [451.40(b)]
19. MC Squared has authority from the Commission to be an ARES under Docket No. 09-0059 which such authority was granted. MC Squared requests that such current authority be consolidated with any authority granted pursuant to this applicant under Docket No. 10-0549.
20. MC Squared is not licensed as an alternative retail electricity supplier in any other jurisdictions.
21. MC Squared 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 \$150,000.00 as specified in Part 451.50(a) for the appropriate group of customers that MC Squared is certified to serve. MC Squared has previously provided the Commission with a copy of its license or permit bond no. K08092692 from the **Westchester Fire Insurance Company** as required by Part 451.50(a) and proof that the surety meets the definition of "qualifying surety" as set forth in Part 451.10. MC Squared has renewed the same license or permit bond for another one (1) year term starting on January 29, 2010 through January 28, 2011. Copies of the bond and qualifying surety information are included in **Attachment C**.
22. MC Squared continues to meet the financial criteria set forth in the Commission's Regulations for Part 451.220 Financial Qualifications under Subpart C (b). Pursuant to that Section, MC Squared certifies that it continues to meet the financial qualifications as demonstrated through the collateral requirements that MC Squared has posted to the PJM Interconnection, LLC commensurate with the amount of credit required to serve MC Squared's customers in the ComEd service territory. MC Squared procures all of the power and energy required to serve its retail customers from the PJM Interconnection (RTO). MC Squared provided the Commission with copies of the Guaranty in the amount of \$4.0 Million dollars posted to PJM on MC Squared's behalf in its continuing compliance filing to the Commission dated December 3, 2009. MC Squared has not modified the

level of its Guaranty with PJM since the last continuing compliance report to the Commission dated December 3, 2009. A copy of the Guaranty is included in **Attachment D**.

23. MC Squared does not provide electric power and energy with property, plant and equipment that it owns, controls or operates.

24. MC Squared certifies that it continues to maintain the required technical qualifications for the service authority granted in its certificate.

(a) MC Squared certifies that it does not utilize generation, transmission or distribution facilities that it owns, controls, or operates in serving customers and therefore the qualifications required in Section 451.230, Technical Qualifications under Subpart C, paragraph (a), are not applicable.

(b) MC Squared certifies that it continues to maintain the required technical qualifications for the service authority granted in its certificate. To that end, MC Squared demonstrates the technical resources through its employees, including Mr. John Fringer as the senior technical representative of MC Squared. The same personnel and capabilities remain since MC Squared's ARES certification in March 2009. Mr. Fringer possess over 25 years of technical electricity experience including forecasting, scheduling, OASIS management, and NERC tagging of power and energy across Regional Transmission Organizations (RTO's) including the PJM Interconnection, LLC. Mr. Fringer maintains the primary daily interaction with PJM for all forecasting, scheduling and settlements on behalf of MC Squared. Mr. Fringer's narrative qualification is included in **Attachment E**.

25. MC Squared certifies that it continues to maintain the required managerial qualifications for the service authority granted in its certificate [451.240]. To that end, MC Squared certifies that the senior officers of the company as previously reported to the Commission heretofore operate the company currently. Specifically, Mr. Charles C. Sutton and Mr. John F. Clark, president and chief financial officer respectively of MC Squared each possess more than twenty (20) years of demonstrated energy (electricity and natural gas) industry experience in the State of Illinois. Mr. Sutton and Mr. Clark have participated in the Illinois retail electricity markets since the commencement of electric competition in 1999 with senior management roles including profit and loss responsibility. The professional background information for Mr. Sutton and Mr. Clark has previously been submitted to the Commission. The background information for Mr. Sutton and Mr. Clark is included in **Attachment F**.

26. MC Squared is not relying on one or more agents to meet the technical or managerial qualifications of Part 451.230 and 451.240.

27. MC Squared intends to provide single billing option ("SBO") services to certain customers it serves. Pursuant to Section 451.510, MC Squared must demonstrate its ability to establish and maintain financial resources adequate to satisfy the obligation to remit to ComEd the amounts MC Squared collects under the ComEd SBO tariff. Accordingly, MC Squared will meet that requirement by posting and maintaining a bond issued by a qualifying surety or financial institution chartered by the United States or the State of Illinois in favor of ComEd. The bond will be in an amount equal to fifteen percent (15%) of MC Squared's good faith estimate of total amount that MC Squared expects to be obligated to pay to ComEd during the next twelve (12) months under the single billing tariffs adopted pursuant to Section 16-118(b) of the Act. The good faith estimate for MC Squared is included as **Attachment G**. MC Squared also provides herein a copy of the bonding agreement and the surety bond as **Attachment H**. The Performance Bond is conditioned on the full and timely payment of all amounts due to the utility in accordance with the terms specified in the single billing tariffs and is valid for a period of one year.

WHEREFORE, Applicant requests that the Commission grant its Amended ARES Application for service authority to serve commercial and industrial retail customer services in the Commonwealth Edison service area including offering single billing services.

Respectfully submitted,

MC Squared Energy Services, LLC

By: 
Mark J. McGuire, General Counsel
MC Squared Energy Services, LLC
10 South Riverside Plaza, Suite 1800
Chicago, Illinois 60606
(571) 216-6665 (phone)
(312) 474-6099 (fax)
Email: MarkMcGuire@mc2energyservices.com

By: 
Charles C. Sutton, President
MC Squared Energy Services, LLC
10 South Riverside Plaza, Suite 1800
Chicago, Illinois 60606
(312) 474-6441 (phone)
(312) 474-6099 (fax)
Email: chucksutton@mc2energyservices.com

VERIFICATION

STATE OF ILLINOIS)
)
COUNTY OF COOK)

ss:

Charles C. Sutton, being first duly sworn, deposes and says that he is the President of MC Squared Energy Services, LLC ("Applicant"); that he has read the foregoing Amended ARES Application of Applicant, and all of the attachments accompanying and referred to within the Amended ARES Application; and that the statements contained in the Amended ARES Application and the attachments are true, correct and complete to the best of his knowledge, information and belief.



Charles C. Sutton

Subscribed and sworn to before me

this 18th day of October, 2010.



Joan Therese Ward
Notary Public

[Stamp of Notary]

Index of Attachments

- Attachment A: License to Transact Business in the State of Illinois
- Attachment B: Proof of Notification to ComEd of Intent to Serve
- Attachment C: \$150,000 License or Permit Bond including Qualifying Surety Information
- Attachment D: Guaranty of \$4.0 Million to PJM Interconnection, LLC
- Attachment E: Professional Background for Mr. John Fringer, Technical
- Attachment F: Professional Background for Mr. Charles Sutton and Mr. John Clark – Managerial
- Attachment G: Calculation of Good Faith Estimate of total amount to be served under ComEd Rider SBO.
- Attachment H: Copy of Surety Bond payable to ComEd for Rider SBO