

2010 DEC 13 A 10:47

CHIEF CLERK'S OFFICE

Illinois Commerce Commission
Chief Clerks Office
Attn: Elizabeth Rolando
527 East Capital Avenue
Springfield, IL 62701

ORIGINAL

RE: MXenergy Electric Inc. ARES Application
Docket No. 10-06-50

Dear Ms. Rolando:

Pursuant to Section 451.30 of the Administrative Code which requires alternate retail electric suppliers to provide proof of publication with the Commission Clerk, and as instructed in the ARES Application, please find enclosed the original and two copies of the proof of publication from the Official State Newspaper, Breeze Courier.

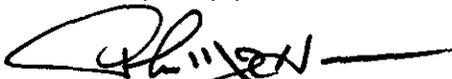
Additionally, as discussed with Phil Hardas, the proof of publication was not filed within the five (5) business days required by the above noted section due to the fact that the State Newspaper advised us that the proof of publication would not be provided to us until the end of the run date of the notice. The end date was December 6th. Attached is an email from Tracy/Joe Dorr at the Breeze-Courier responding to my faxed request for proof of publication on November 19, 2010.

Further, as outlined in the enclosed instructions for the form for ARES application dated August 10, 2010 pulled from the Commission's website today, ARES applicants are instructed to file the original and two copies for the proof of publication with the Chief Clerk "as soon as possible after publication". The five (5) business day requirement is not specifically stated in the instructions.

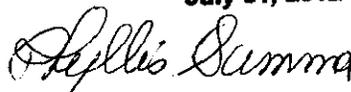
For our records, please return one copy stamped "filed" in the enclosed self addressed postage paid enveloped.

If you have any questions or need additional information please contact me.

Very truly yours,


Philip A. Mittleman
Associate General Counsel

PHYLLIS SUMMA
NOTARY PUBLIC
State of Connecticut
My Commission Expires
July 31, 2012



cc: Phil Hardas
Greg Rockroh

217. Legals

Notice is hereby given that MXenergy Electric Inc. has filed for an application with the Illinois Commerce Commission to become an Alternate Retail Electric Supplier in the Ameren and Commonwealth Edison territory to supply electricity to eligible customers.

11/22, 11/29, 12/6, 2010

BREEZE PRINTING COMPANY

A Corporation organized and existing under and by virtue of the laws of the State of Illinois does HEREBY CERTIFY, that it is the publisher

OF THE

Breeze - Courier

That said BREEZE-COURIER is a secular newspaper and has been published daily in the City of Taylorville, County of Christian and State of Illinois, continuously for more than six months prior to, on and since the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said County and State.

That a notice, of which the annexed printed slip is a true copy, was published3..... times in said Breeze-Courier namely once each week for3..... successive weeks, and that the first publication of said notice as aforesaid was made in said newspaper dated and published on the22..... day ofNovember..... A.D. 2010 and the last publication thereof was made in said newspaper dated and published on the6..... day ofDecember....., A.D. 2010.

IN WITNESS WHEREOF, the undersigned, the said BREEZE PRINTING COMPANY has caused this certificate to be signed by MARYLEE COOPER LASSWELL, its President, this6..... day ofDecember....., A.D. 2010.

BREEZE PRINTING COMPANY

ByMarylee Cooper Lasswell..... President.

(Publication Fee \$ 10.50)

Return In Five Days To
The Freese-Courier

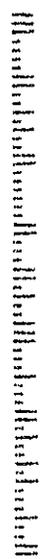
212 South Main Street
P.O. Box 440
Taylorville, Illinois 62568-0440

ADDRESS SERVICE REQUESTED



Keenia Joseph
MKent usy
595 Summer Street, Suite 300
Stamford, CT 06901-1407

0630121407



Keenia Joseph

From: Joe Dorr [breezeclassifieds@breezecourier.com]
Sent: Friday, November 19, 2010 1:15 PM
To: Keenia Joseph
Subject: Legal Notice

Good afternoon Keenia,

I received your legal notice. This will be published for 3 consecutive weeks. First publication will be Monday, November 22; Second publication will be Monday, November 29; Third and final publication will be Monday, December 6, 2010.

Certificate of Publication will be sent to you after the last publication, December 6.

The cost of the notice is \$10.50.

We do not invoice, but bill on a monthly billing Statement of Advertising, which will be sent to you.

Thanks
Tracy
Breeze-Courier Classifieds/Legals

Copy of legal notice:

Notice is hereby given that MXenergy Electric Inc. has filed for an application with the Illinois Commerce Commission to become an Alternate Retail Electric Supplier in the Ameren and Commonwealth Edison territory to supply electricity to eligible customers.

11/22, 11/29, 12/6,
2010

MODE = MEMORY TRANSMISSION

START=NOV-19 11:57

END=NOV-19 11:58

FILE NO.=255

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK		12178242026	002/002	00:00:32

-MX ENERGY

***** -MX ENERGY - ***** 203 425 9562-*****

mxenergy

595 Summer Street, Suite 300
 Stamford, CT 06901-1407
 Tel: 203-356-1318
 Fax: 203-316-0417
 www.mxenergy.com

Fax

To: Tracy	From: Kennia Joseph 
Fax #: 217-824-2026	Pages: 2 (including cover sheet)
Phone #: 217-824-2233	Date: November 19, 2010
Re: IL News Paper Notice	Cc:

Urgent For Review Please Comment Please Reply Please Recycle

Dear Tracy,

Attached please find the MXenergy Electric Inc. notice, which should be published for three (3) consecutive weeks as of November 20, 2010.

Please provide me with a proof of publication and a copy of the invoice for approval. You can send these documents to me via fax or email at the information below.

Any other information needed, please feel free to contact me.

Thank you and regards,

Keenia Joseph
 Paralegal

mxenergy

595 Summer Street, Suite 300
 Stamford, CT 06901-1407
 Phone: (203) 356-1318 ext. 7235
 Fax: (203) 316-0417
KJoseph@mxenergy.com

Instructions for the Form for ARES Applicants

The Form for ARES Applicants has been prepared by the Staff of the Illinois Commerce Commission ("Staff"). 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 Certificate of Service Authority to be an Alternative Retail Electric Supplier ("ARES") under Section 16-115 of the Public Utilities Act ("Act") [220 ILCS 5/16-115] and 83 Ill. Adm. Code 451 ("Part 451"), Certification of Alternative Retail Electric Suppliers. The form is presented in a generic format and should be individually tailored by each ARES applicant before sending to the Commission. The Form is not intended to constitute legal advice regarding compliance with Section 16-115 of the Act, Part 451, or any applicable case law.

An ARES applicant can apply for certification under any one of four Subparts:

- Subpart B to serve only nonresidential retail customers with maximum electrical demands of one megawatt or more,
- Subpart C to serve nonresidential retail customers with annual electric consumption greater than 15,000 kWh,
- Subpart D to serve all retail customers, or
- Subpart E to serve only the applicant itself and retail customers, at separate locations, if the customers are both owned by, or are subsidiaries or other corporate affiliate of, the applicant and are eligible for delivery services.

In addition to the certification under the subparts B through E, an ARES applicant can also apply for authorization to provide single-billing service under Subpart F.

A Docket Number will be assigned after the applicant has made its filing with the Commission. Applicants are encouraged to communicate with Commission Staff and/or submit a draft application to Staff for review prior to filing the ARES application.

Part 451 describes the requirements applicable to an entity seeking to become certified as an ARES in the State of Illinois. The Form for ARES Applicants is only to be used as a tool in the application process; it should not be construed as the official Commission rule. In the Form for ARES Applicants, there are references to certain sections of Part 451, which are shown as bracketed references [451.XX]; please review the appropriate sections of Part 451ⁱ before agreeing to or certifying to any requirement. Clearly state the exact section when referring to Part 451. In addition, do not include references to sections that do not apply to your application.

83 Ill. Adm. Code 200 ("Part 200"), Rules of Practice, provides the Commission requirements for filings. Contents of all documents must be consistent with the Commission's Rules of Practice.ⁱⁱ

ⁱ Part 451: [/http://www.ilga.gov/commission/jcaradmincode/083/08300451sections.html](http://www.ilga.gov/commission/jcaradmincode/083/08300451sections.html)

ⁱⁱ Part 200: <http://www.ilga.gov/commission/jcar/admincode/083/08300200sections.html>

Instructions for the Form for ARES Applicants

The original Application must be submitted to
Chief Clerk
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, Illinois 62701

To assist Staff in its review of any application, applicants are asked to provide the Chief Clerk's Office with four additional copies of the Application and all attachments, along with the original. The four additional copies should be labeled as follows to be forwarded to the appropriate Staff:

- Manager of Engineering Department, Energy division
- Manager of Finance Department, Financial Analysis Division
- Consumer Services Division
- Deputy General Counsel, Energy

(A handwritten annotation in the upper right-hand corner of the first page will be sufficient to direct the additional copies to the appropriate Staff.)

In addition, Section 16-115(b) of the Act [220 ILCS 5/16-115(b)] and Part 451.30(a) require the applicant to publish notice of its application in the Official State Newspaper within 10 days following the filing of the application. The Official State Newspaper through the end of June 2012 is the Breeze Courier; its legal notices department may be reached at (217) 824-2233 (ask for legal notice department). The telefax number for the legal notices department is (217) 824-2026 and email is breezeclassified@breezecourier.com.

[REDACTED] applicant shall send the original and two copies of the proof of publication to the **[REDACTED]** Chief Clerk at the same address set forth above. The filing of the proof of publications **[REDACTED]** shall be made as soon as possible after publication.

To file confidential documents, please refer to Part 451.160.

Questions concerning the ARES certification process may be directed to the following Staff:

- Phil Hardas, Finance Department, Financial Analysis Division, at (217) 557-5213 or phardas@icc.illinois.gov, or
- Yassir Rashid, Engineering Department, Energy Division, at (217) 558-3509 or yrashid@icc.illinois.gov