

ILLINOIS COMMERCE COMMISSION

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

Docket No. 11-0197

APPLICATION

Hospital Energy Services, 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. Hospital Energy Services, LLC
696 Coleman Road
P.O. Box 2914
Middletown, CT 06457
2. Type of Business Entity: LLC
Jurisdiction: Connecticut
Business Name: Hospital Energy Services, LLC
3. Contact Persons for the following:
 - a) issues related to processing this application and
 - b) issues related to complaint resolution [454.130]

a) & b):
Mark Mininberg
President
Hospital Energy Services, LLC
P.O. Box 2914 Middletown, CT 06457
(203) 668 3522
mark@hospitalenergy.com

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

Hospital Energy serves as the energy procurement and development arm for several of the nations' leading healthcare group purchasing organizations, including VHA and the University Health System Consortium, which represent more than 2,000 healthcare institutions in the United States. Hospital Energy currently manages energy procurement valued at more than \$600 million for these healthcare institutions.

5. A statement in support of application (including supporting documents and schedules if necessary) certifying the applicant meets the requirements of Section 16-115C of the Act. [454.40(d)(1)]

Hospital Energy Services, LLC hereby certifies that it meets the requirements of Section 16-115C of the Act and therefore is fully qualified to receive the license that is the subject of this application.

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)]

InCorp Services, Inc.
2501 Chatham Road, suite 110
Springfield, IL 62704

7. Hospital Energy Services, LLC is licensed as a consultant in the jurisdictions of CT, MA, and PA similar to the licensure required under Section 16-115C of the Illinois Public Utilities Act. Hospital Energy Services, LLC has not had any complaints filed against it for its provision of any services in the electric or gas industry in this or any other jurisdiction.

8. Hospital Energy Services, LLC 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]

9. Hospital Energy Services, LLC meets the managerial qualifications set forth in Part 454.60, as demonstrated in Attachment A. Attachment A 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 A 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]

10. Hospital Energy Services, LLC meets the technical qualifications set forth in Part 454.70, as demonstrated in Attachment A. Attachment A 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).

FINANCIAL LICENSING REQUIREMENTS [SECTION 454.80]

11. Hospital Energy Services, LLC 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.

CODE OF CONDUCT [SECTION 454.90]

12. Hospital Energy Services, LLC certifies that it shall:
- a) Disclose in plain language in writing the nature of the services offered by Hospital Energy Services, LLC;
 - 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]

- 13. Hospital Energy Services, LLC agrees to submit reports in accordance with annual reporting requirements. [454.110]

Attachment A

Hospital Energy Services' Illinois operations will be staffed by Mark Mininberg, Peter Diamond and Gregory Besek.

Mark Mininberg is the president and sole officer of Hospital Energy Services, LLC. His professional experience is as follows:

Mark Mininberg is an energy agent, broker and consultant and an attorney with more than twenty-five years' experience in the energy, environmental and healthcare fields. Mr. Mininberg founded Hospital Energy Services, LLC, in 1996, to help healthcare institutions optimize their energy procurement and management efforts. Hospital Energy serves as the energy procurement and development arm for several of the nations' leading healthcare group purchasing organizations, including VHA and the University Health System Consortium, which serve more than 2,000 members representing nearly half the hospital beds in the United States. Hospital Energy currently manages energy procurement valued at more than \$600 million for these healthcare institutions.

Mr. Mininberg has spent more than twenty-five years representing the interests of hospitals and universities as an administrator and lawyer. He has also been at the forefront of two decades of international clean energy development. Mr. Mininberg founded the Council for Sustainable Development in Eastern Europe and has served as an energy and environmental advisor to the governments of the United States, the Russian Federation and the Czech Republic. In this role, he helped create the standards for development and operation of global power generation projects funded or insured by the U.S. government. Mr. Mininberg has used this extensive experience to devise a means of providing hospital energy that meets four rigorous standards: The solutions stabilize energy costs, reduce pollution, have no impact on hospital balance sheets, and are accomplished in a peer-reviewed process.

Mr. Mininberg is the author of numerous books and articles and is a frequent lecturer on energy, healthcare and environmental matters, including invitations from the U.S. White House, the United Nations, the World Bank, the Oxford University Law Colloquium, the Yale University Center for International Studies, the Harvard Law School Negotiation Project, and the Columbia University School of Public Health.

Mr. Mininberg is a 1981 graduate of Wesleyan University with Honors in History, and a 1984 graduate of the University of Connecticut School of Law, where he was a member of the Law Review and received the Connecticut Law Tribune Prize for legal scholarship.

Peter Diamond is responsible for Hospital Energy's financial planning, analysis and management. Prior to joining Hospital Energy, Mr. Diamond was an independent

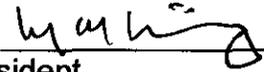
financial consultant providing corporate finance advice to clients in the energy, technology and financial services industries. Mr. Diamond's work history also includes overseeing financial operations for Advanced Infrastructure Ventures, LLC, a start-up venture capital fund, and capital raising and mergers and acquisition advisory roles in investment banking, including Vice President at SoundView Technology Group, Inc., Associate at Furman Selz, LLC, and Analyst at Lehman Brothers, Inc. Mr. Diamond holds an M.B.A. from the William E. Simon Graduate School of Business Administration, University of Rochester and a B.A. in Managerial Economics from Union College.

Gregory Besek is responsible for supporting the regional hospital energy groups served by Hospital Energy. Mr. Besek has more than thirty years' experience in leading and facilitating diverse groups of people to achieve common goals, including specific experience in alternative and renewable energy development, construction and real estate management, and technology sales. Mr. Besek began employment with Hospital Energy in June of 2008.

WHEREFORE, Hospital Energy Services, LLC 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,

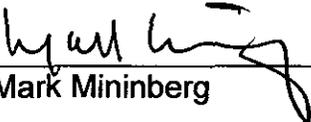
Mark Mininberg

By:  _____
President

VERIFICATION

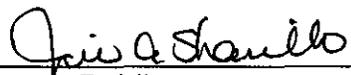
STATE OF CONNECTICUT
COUNTY OF MIDDLESEX

Mark Mininberg, being first duly sworn, deposes and says that he is the President for Hospital Energy Services, LLC; that he has read the foregoing Application of Hospital Energy Services, LLC 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.



Mark Mininberg

Subscribed and sworn to before me
this 23 day of February, 2011.



Notary Public

[Stamp of Notary]

JILL A SHARILLO
NOTARY PUBLIC
My Commission Expires
11/30/13