

2011 APR 28 A 11:14

Power Management Co., LLC

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

CHIEF CLERK'S OFFICE
Docket No. 11-0373

APPLICATION

Power Management 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. Applicant's name and street address.

Applicant's name: Power Management LLC DBA PMC LightSavers LLC
Street number and name: 1600 Moseley Road
City, State abbreviation, and ZIP code: Victor, NY 14564

2. Related Information:

- Type of business entity: [corporation, LLP, LLC, etc.] LLC
- Jurisdiction in which and under whose laws business entity was created: New York
- Other names under which Applicant does business (D/B/A): Power Management CO., LLC, PMC Lightsavers, Power Management Co., New England, LLC

3. Contact Persons for the following:

- a) issues related to processing this application and
Ben Roushey
Accounting Manager
1600 Moseley Road
Victor, NY 14564
(585) 249-1360
broushey@powermgt.com
- b) issues related to complaint resolution [454.130]
Karen Crusoe
Accounting Manager
1600 Moseley Road

Victor, NY 14564
(585) 249-1360
kcrusoe@powermgt.com

Provide each contact person's name, title, mailing address, telephone number, and e-mail address for a) and b).

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

Power Management's services include, but are not limited to:

- a) Energy Marketing Service – Brokering of Electric and Natural Gas
- b) Energy Consulting Service – General Consulting in the area of Energy Purchasing, Energy Efficiency, Energy Conservation, etc.
- c) Energy Project Services – Contraction and sub-contraction energy related projects and services

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)]

Power Management LLC certifies that Power Management or any person acting on behalf of Power Management, meets all requirements and will comply with all terms and conditions of Section 16-115C.

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)]

CT Corporation System
208 South LaSalle Street, Suite 814
Chicago, IL 60604
(312) 345-4320

7. A statement to disclose whether the Applicant is licensed as an agent, broker or consultant in any other jurisdictions, similar to the licensure required under Section 16-115C of the Illinois Public Utilities Act. Additionally, the Applicant is directed to disclose whether it has had any complaints filed against it for its provision of any services in the electric or gas industry in this or any other jurisdiction. If yes, the Applicant is directed to include in its response the nature of the complaint, the jurisdiction, and the ultimate resolution.

Form for ABC Applicants

Power Management LLC is registered as a broker and consultant in other jurisdictions. At this time Power Management has never had any complaints filed against it for its services in the electric or gas industry in any jurisdiction.

8. Applicant 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. Applicant 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 B 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. Applicant meets the technical qualifications set forth in Part 454.70, as demonstrated in Attachment B. Attachment B 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. Applicant 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.

[Department of the Treasury's Listing of Approved Sureties (Department Circular 570) (<http://www.fms.treas.gov/c570/c570.html>)]

CODE OF CONDUCT [SECTION 454.90]

12. Applicant certifies that it shall:

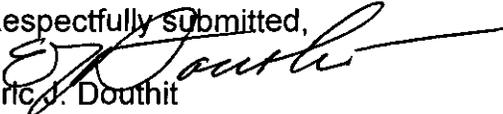
- a) Disclose in plain language in writing the nature of the services offered by the ABC;
- b) Disclose in plain language in writing to all persons it solicits the total anticipated remuneration to be paid to it by any third party over the period of the proposed underlying customer contract. Any such 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. Applicant 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,



Eric J. Douthit

Executive Vice President

VERIFICATION

STATE OF NY)
COUNTY OF Monroe

Eric J. Douthit, being first duly sworn, deposes and says that he is the Executive Vice President for Power Management Co., LLC; that he has read the foregoing Application of Power Management Co., 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.


Eric J. Douthit

Subscribed and sworn to before me
this 2nd day of March, 20 11.



Notary Public

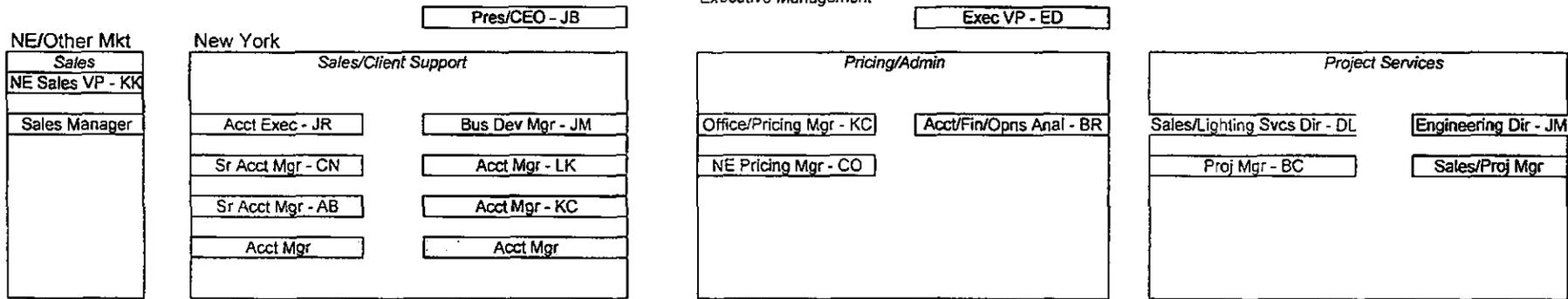
[Stamp of Notary]

IVA D. DOSER
Notary Public, State of New York
Monroe County Reg #01DO6176982
Commission Expires 11/05/ 2011

CONFIDENTIAL

Power Management Company - Organization Chart
12/14/2010

Executive Management



Current Staffing

12 Month Growth

24 Month Growth



1600 MOSELEY ROAD - SUITE 100
VICTOR, NEW YORK 14564
Telephone: (585) 249-1360 Fax: (585) 249-1361

MANAGEMENT OF THE COMPANY

Lead by John Burt (President) and Eric Douthit (Executive Vice President), the existing staff represents over 50 years experience in the energy industry.

Management Team

John L. Burt

Power Management Co., L.L.C., Rochester, NY

President & Founder, 1997 to date

Griffith Energy, Rochester, NY –

Vice President – Sales and Marketing, 1992 to 1997

Large (\$250M) branded and unbranded petroleum distribution company selling heating fuels (fuel oil no. 2, kerosene, propane), power fuels (gasolines, diesels, jet), and lubricants.

Penske Leasing Company, Hartford, CT & Los Angeles, CA

Director of Sales – Northeast Region, 1986 to 1992

District Manager, 1984 to 1986

Lease Sales Representative, 1982 to 1984

McGraw Hill Corporation, Los Angeles, CA

Account Executive, 1980 to 1982

Towson State University, BA Business Administration, 1976 to 1980

Graduate Coursework, UCLA, 1982 to 1983

Eric J. Douthit

Power Management Co., L.L.C., Rochester, NY

Vice President – Operations, 1999 to date

Griffith Energy, Rochester & Elmira, NY

Vice President – Wholesale Operations, 1996 to 1999

Vice President – Fleet and Facilities, 1992 to 1996

Region Manager, 1990 to 1992

Exxon Company USA, Bayonne, NJ & Houston and Corpus Christi, TX

Various positions including: Area Marketing Manager, Operations Analyst, Business Development Representative, and Planning, Field, Design Engineer, 1981 to 1990

The Pennsylvania State University, BS Civil Engineering, 1977 to 1981

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

AMERICAN STATES INSURANCE COMPANY
INDIANAPOLIS, INDIANA
POWER OF ATTORNEY

That AMERICAN STATES INSURANCE COMPANY, an Indiana corporation, does hereby appoint

***** BETTY BARRETT *****

Its true and lawful attorney(s)-in-fact, with full authority to execute on behalf of the company the following surety bond:

Surety Bond Number: 6754735

Principal: POWER MANAGEMENT CO., LLC

Bond Amount: Five Thousand Dollars And Zero Cents

DOLLARS (\$ 5,000.00)

, and to bind AMERICAN STATES INSURANCE COMPANY thereby as fully as if such instruments had been duly executed by its regularly elected officers at its home office.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE IV - Execution of Contracts: Section 12. Surety Bonds and Undertakings.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitations as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and executed, such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article IV, Section 12 of the By-laws, Gregory W. Davenport, Vice President of American States Insurance Company, is authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Corporation and the corporate seal of American States Insurance Company has been affixed thereto in Seattle, Washington this 2nd day of December, 2010.



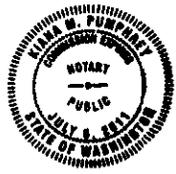
AMERICAN STATES INSURANCE COMPANY

By Gregory W. Davenport
Gregory W. Davenport, Vice President

STATE OF WASHINGTON ss
COUNTY OF KING

On this 2nd day of December, 2010, before me, a Notary Public, personally came Gregory W. Davenport, to me known and acknowledged that he is a Vice President; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of American States Insurance Company thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Seattle, Washington, on the day and year first above written.



By Kiana M. Pumphrey
Kiana Pumphrey, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of American States Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article IV, Section 12 of the By-laws of American States Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of American States Insurance Company at a meeting duly called and held on the 18th day of September, 2009.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 25th day of March, 2011.



By David M. Carey
David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-888-844-2663 between 8:00 am and 7:30 pm EST on any business day.



OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

MARCH 21, 2011

0346253-6

C T CORPORATION SYSTEM
208 SO LASALLE ST, SUITE 814
CHICAGO, IL 60604-1101

RE POWER MANAGEMENT CO., L.L.C.

DEAR SIR OR MADAM:

IT HAS BEEN OUR PLEASURE TO APPROVE YOUR REQUEST TO TRANSACT BUSINESS IN THE STATE OF ILLINOIS. ENCLOSED PLEASE FIND THE APPROVED APPLICATION FOR ADMISSION.

PLEASE NOTE! THE LIMITED LIABILITY COMPANY MUST FILE AN ANNUAL REPORT PRIOR TO THE FIRST DAY OF THIS MONTH OF QUALIFICATION NEXT YEAR. FAILURE TO TIMELY FILE WILL RESULT IN A \$300 PENALTY AND/OR REVOCATION. A PRE-PRINTED ANNUAL REPORT WILL BE MAILED TO THE REGISTERED AGENT AT THE ADDRESS ON OUR RECORDS APPROXIMATELY 45 DAYS BEFORE THE DUE DATE.

MANY OF OUR SERVICES ARE AVAILABLE AT OUR CONTINUOUSLY UPDATED WEBSITE. VISIT WWW.CYBERDRIVEILLINOIS.COM TO VIEW THE STATUS OF THIS COMPANY, PURCHASE A CERTIFICATE OF GOOD STANDING, OR EVEN FILE THE ANNUAL REPORT REFERRED TO IN THE EARLIER PARAGRAPH.

SINCERELY YOURS,

A handwritten signature in black ink that reads "Jesse White".

JESSE WHITE
SECRETARY OF STATE
DEPARTMENT OF BUSINESS SERVICES
LIMITED LIABILITY DIVISION
(217) 524-8008

171



OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

0346253-6

03/21/2011

C T CORPORATION SYSTEM
208 SO LASALLE ST, SUITE 814
CHICAGO, IL 60604-1101

RE POWER MANAGEMENT CO., L.L.C.
FAS: PMC LIGHTSAVERS LLC

DEAR SIR OR MADAM:

APPLICATION TO ADOPT AN ASSUMED NAME HAS BEEN PLACED ON FILE AND THE LIMITED LIABILITY COMPANY CREDITED WITH THE REQUIRED FEE.

SINCERELY YOURS,

A handwritten signature in black ink that reads "Jesse White". The signature is written in a cursive style with a large, stylized "J" and "W".

JESSE WHITE
SECRETARY OF STATE
DEPARTMENT OF BUSINESS SERVICES
LIMITED LIABILITY DIVISION
(217) 524-8008

Form **LLC-1.20**

October 2006

Secretary of State Jesse White
Department of Business Services
Limited Liability Division
Room 351 Howlett Building
501 S. Second St.
Springfield, IL 62756
www.cyberdriveillinois.com

Payment must be made by business firm check payable to Secretary of State. (If check is returned for any reason this filing will be void.)

Illinois
Limited Liability Company Act
Application to Adopt, Change, Cancel
or Renew an Assumed Name

Filing Fee - see note on reverse side

SUBMIT IN DUPLICATE

Must be typewritten

This space for use by Secretary of State.

Filing Fee: \$ 120.00
Approved: [Signature]

FILE # 034102530

This space for use by Secretary of State.

FILED

MAR 21 2011

JESSE WHITE
SECRETARY OF STATE

1. Limited Liability Company Name: Power Management Co., L.L.C.

2. State or Country under the laws of which the company is organized: (check one)

Illinois (domestic) Foreign (specify): New York

3. Date organized (if an Illinois Limited Liability Company) or date authorized to transact business in Illinois (if a foreign Limited Liability Company): _____

4. TO ADOPT: (a) The Limited Liability Company intends to adopt and transact business under the assumed name of: PMC LightSavers LLC

FAS

(b) The right to use the assumed name shall be effective from the date this application is filed by the Secretary of State until March 1st, 20 15, the first day of the company's anniversary month in the next year, which is evenly divisible by five.

5. TO CHANGE: (a) The above-named Limited Liability Company intends to cease transacting business under the assumed name of: _____

(b) and to commence transacting business under the new assumed name of: _____

6. TO CANCEL: The above-named Limited Liability Company intends to cease transacting business under the assumed name of: _____

7. TO RENEW: (a) The above-named Limited Liability Company intends to renew the assumed name of: _____

(b) The right to use the assumed name shall be effective from the date this application is filed by the Secretary of State until _____, 20 _____, the first day of the company's anniversary month in the next year, which is evenly divisible by five.

8. The undersigned affirms, under penalties of perjury, having authority to sign hereto, that this Application to Adopt, Change, Cancel or Renew an Assumed Name is to the best of my knowledge and belief, true, correct and complete.

Dated March 1st, 2011
Month & Day Year

Signature
Eric Douthit, Member
Name and Title (type or print)

If applicant is a company or other entity, state name of company and indicate whether it is a member or manager of the LLC.

- NOTE:
- a. An assumed name may be adopted in five-year increments. The right to use an assumed name shall be effective from the date of filing by the Secretary of State until the first day of the anniversary month of the Limited Liability Company that falls within the next calendar year evenly divisible by 5.
 - b. The filing fee to adopt an assumed name is \$150 for each year or part thereof ending in 0 or 5; \$120 for each year or part thereof ending in 1 or 6; \$90 for each year or part thereof ending in 2 or 7; \$60 for each year or part thereof ending in 3 or 8; or \$30 for each year or part thereof ending in 4 or 9.
 - c. The fee to change an assumed name is \$100.
 - d. The fee for canceling an assumed name is \$100.
 - e. The fee to renew an assumed name is \$150. An assumed name may be renewed 60 days prior to the expiration of the right to use the assumed name, for a period of five years, by making an election to do so at the time of filing the Annual Report and by paying the renewal fees as prescribed by this Act.
 - f. A penalty of \$100 will apply to any assumed name renewed on or after the first day of the company's anniversary month. If the assumed name is not renewed within the 60 days commencing with the first day of the company's anniversary month, the right to use the assumed name shall cease.