

STATE OF ILLINOIS

ILLINOIS
COMMERCE COMMISSION

ILLINOIS COMMERCE COMMISSION

2011 MAY -6 A 9:54 *ms*

Ultimate Energy Advisors, LLC

CHIEF CLERK'S OFFICE

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

Docket No.

11-0398

APPLICATION

Ultimate Energy Advisors, 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.
Ultimate Energy Advisors, LLC
6922 Flint Cove Drive
Dallas, TX 75248
2. Related Information:
 - Type of business entity: **LLC**
 - Jurisdiction in which and under whose laws business entity was created:
Texas
3. Contact Persons for the following:
 - a) issues related to processing this application and
Bob H. Schiff
6922 Flint Cove Drive
Dallas, TX 75248
214.202.2875 – Phone, 888.528.5485 - Fax
bobs@ueallc.com
 - b) issues related to complaint resolution [454.130]
Bob H. Schiff
6922 Flint Cove Drive
Dallas, TX 75248
214.202.2875 - Phone, 888.528.5485 - Fax
bobs@ueallc.com

4. Description of Applicant's business. [454.40(c)(1)] Ultimate Energy Advisors is an electricity broker.
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)] – **See attached resume.**
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
Sangamon County
800.246.2677 - Phone***

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.

Ultimate Energy Advisors, LLC is a licensed broker in the State of Texas, Aggregator #870295. No complaints have been filed against the applicant in Texas or any other 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 Attached resume. Attachment 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 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). [Attachment should include narrative and/or resume of key personnel showing clearly how the managerial experience requirement is being met.]

TECHNICAL LICENSING QUALIFICATIONS [Section 454.70]

- 10. Applicant meets the technical qualifications set forth in Part 454.70, as demonstrated in Attachment __. Attachment __ 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.

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,

Bob H. Schiff

By: 
Managing Partner

Name of Attorney – **Stephen E. Kaplan**

Attorney's Firm or Company Name – **Stephen Kaplan, P.C.**

Address of Attorney – **7557 Rambler Road, Dallas, TX 75231**

Attorney's Telephone Number – **214.346.6048**

Attorney's Fax and E-mail (optional) -**214.346.6049, skaplanesq@hotmail.com**

VERIFICATION

STATE OF TX.)
COUNTY OF Dallas.

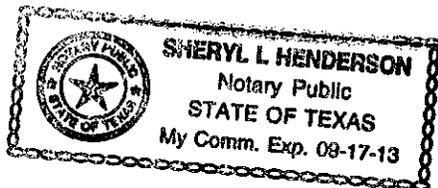
Bobby H. Schiff, being first duly sworn, deposes and says that he is the Applicant; that he has read the foregoing Application and all of the attachments accompanying and referred to within the Application; and that the statements contained in the Application and the attachments are true, correct and complete to the best of his knowledge, information and belief.

S. Henderson
[Name of person verifying application]

Subscribed and sworn to before me
this 12 day of April, 2011.

S. Henderson
Notary Public

[Stamp of Notary]





**ULTIMATE ENERGY ADVISORS, LLC ORGANIZATIONAL CHART
and for requirements of section 454.70**

Managing Partner – Bobby H. Schiff (see resume attached) has responsibility for compliance with all State financial records and compliance with all rules and regulations promulgated by the State of Illinois for the sale of Natural Gas and Electricity.

Partner – Arny Felner

Sales Representative – Michael Stulmaker

BOB H. SCHIFF

6922 Flintcove Drive • Dallas, TX 75248 • (972) 239-6922 • bhs59@sbcglobal.net

Ultimate Energy Advisors

Dallas, TX

(National Energy Consulting Firm)

June 2008 to present - Managing Partner

- Closed over 200 transactions resulting in total commissions of over \$1.15 million
- Established relationships with 16 Retail Electric providers licensed in the Texas deregulated market.
- Established national energy programs for a fortune 400 company as well as three other regional entities.
- Engaged a new program to assist residential developments to save an additional 6 ½% on their energy costs. First project led to recapture of past tax payment of approximately \$75,000 after all expenses associated with the process.
- In process of establishing national presence in every electricity and natural gas deregulated market in both the US and Canada.

Current Energy

Dallas, TX

(Texas Energy Consulting Firm)

June 2003 to May 2008 - Senior Energy Consultant / Sales Manager

- Closed over 250 transactions resulting in total commissions of over \$ 3.5 million
- Promoted to Senior Energy Consultant in April of 2004
- Implemented a system to report progress and deals in process. Also created an internal program utilized in gathering critical data from potential clients
- Preferred consultant for the Texas Association of Broadcasters and their members
- Assisted and supervised other energy consultants in the negotiation and consummation of energy contracts resulting in total commissions in excess of \$800,000
- Interacted with various National Retail Electric Providers (including Reliant, TXU, Constellation and Suez Energy Resources) in negotiating electricity contracts

Intervest Companies

Dallas, TX

(Real Estate investment and development company)

March 1999 to September 2003 – Director of Acquisitions

- Secured \$3.8 million in construction financing
- Successfully negotiated the purchase of a prime 8-acre site for development
- Negotiated terms and conditions with the General Contractor
- Administered the successful completion of both phases of the project
- Identified 3 additional development sites meeting strict qualifications as well as performing due diligence on over 40 existing facilities for possible acquisition

Schiff resume – continued

FirstPlus Financial Group, Inc. Dallas, TX

(Retail and Wholesale Lender and purchaser of residential 2nd mortgage loans)

October 1994 to March 1999 – Assistant Vice President

- Facilitated the purchase of \$800 million of debt consolidation and home improvement loans over a 2½ year period
- Assisted in the creation and organization of the wholesale loan division
- Increased loan purchase activity from \$2 million to \$400 million per month
- Streamlined the loan bidding process, reducing the bid cycle time by over 70%
- Created a competitor tracking system providing data essential to adjust the company's loan pricing system within the Wholesale Division
- New wholesale division accounted for 55% of all loan production within the company
- Facilitated the purchase of \$800 million of debt consolidation and home improvement loans over a 2½ year period
- Assisted in the creation and organization of the wholesale loan division
- Increased loan purchase activity from \$2 million to \$400 million per month
- Streamlined the loan bidding process, reducing the bid cycle time by over 70%
- Created a competitor tracking system providing data essential to adjust the company's loan pricing system within the Wholesale Division
- New wholesale division accounted for 55% of all loan production within the company

Federal Deposit Insurance Corporation (FDIC) Dallas, TX

(Division Of Liquidation)

January 1990 to October 1994 – Account Officer

- Successfully collected \$93 million in unpaid debt in 1990, placing #1 in the US
- Collected an additional \$53 million in unpaid obligations in 1991
- Recipient of a special achievement award for outstanding performance from FDIC headquarters in Washington, DC
- Multitasked with as many as 220 assets concurrently
- Appointed to a committee responsible for retaining a Wall Street consultant on a \$250 million hotel resort in Spain
- Successfully negotiated mutually acceptable mediation terms with debtors on 5 assets

Grubb and Ellis Dallas, TX

(Nationwide provider of strategic planning, brokerage & property management services)

May 1988 to January 1990 – Investment Banking Specialist

- Secured \$35 million in financing on a large multi-state shopping center portfolio, including the analysis of over 225 retail tenants
- Successfully closed in excess of \$50 million in real estate transactions during a severely depressed real estate market across the US
- Prepared investment packages for submission to lenders and investors

Schiff resume – continued

Chrysler First Business Credit Irving, TX

(Real estate lender)

September 1987 to May 1988 – Lending Officer

- Refinanced and converted a 125 unit apartment complex previously in foreclosure; hired and supervised the contractor for remodeling and renovation of the property, creating a marketable project
- Closed three loans totaling \$1.3 million in proceeds

ITT Real Estate Services Plano, TX

(Real estate lender)

January 1987 to June 1987 – Senior Regional Loan Analyst

- Arranged financing for a \$1.5 million self-storage facility
- Prepared loan packages for submission to Senior Loan Committee
- Analyzed commercial loan opportunities, including underwriting, appraisal and credit review and project feasibility analysis

Security Pacific Mortgage Dallas, TX

(Real estate lender)

December 1985 to December 1986 – Senior Regional Loan Analyst

- Assisted in conducting on-site inspections and disbursements relating to a \$7.5 million construction loan
- Assisted with the analysis and closing of a \$3.5 million commitment to a Fortune 400 investor on the General Motors plant in El Paso, Texas

First City National Bank Dallas, TX

*(Full service banking
institution)*

October 1983 to September 1985 – Real Estate Lending Representative

- Successfully completed the bank's credit training program
- Promoted to Real Estate Lending Division; assigned to numerous existing bank relationships (including Trammell Crow and Homart Development)
- Supervised loans related to the Community Reinvestment Act (HUD 221D-4)

Education

Bachelor of Science, Business Administration/Finance
University of Texas School of Business, Dallas TX – 1983

Business Organization

Ultimate Energy Advisors, LLC is a partnership and all management requirements of 454.60 (a) and 454.70 (a) will be met by Bob H Schiff, the Managing Partner. The other partner, Arnold Felner will be under the supervision of Bob H. Schiff and there are no other full time employees at this time.

File Number 0334201-8



To all to whom these Presents Shall Come, Greeting:

I, Jesse White, Secretary of State of the State of Illinois, do hereby certify that

ULTIMATE ENERGY ADVISORS, L.L.C., A TEXAS LIMITED LIABILITY COMPANY HAVING OBTAINED ADMISSION TO TRANSACT BUSINESS IN ILLINOIS ON OCTOBER 21, 2010, APPEARS TO HAVE COMPLIED WITH ALL PROVISIONS OF THE LIMITED LIABILITY COMPANY ACT OF THIS STATE, AND AS OF THIS DATE IS IN GOOD STANDING AS A FOREIGN LIMITED LIABILITY COMPANY ADMITTED TO TRANSACT BUSINESS IN THE STATE OF ILLINOIS.



Authentication #: 1031602968

Authenticate at: <http://www.cyberdriveillinois.com>

In Testimony Whereof, I hereto set my hand and cause to be affixed the Great Seal of the State of Illinois, this 12TH day of NOVEMBER A.D. 2010 .

Jesse White

SECRETARY OF STATE

License or Permit Bond

License or Permit Bond No IL59300
Merchants Bonding Company
2100 Fleur Drive
Des Moines, Iowa 50321-1158

KNOW ALL MEN BY THESE PRESENTS, That we, **Ultimate Energy Advisors, LLC** as Principal, and **Merchants Bonding Company**, a Iowa Corporation, and authorized to do business in Illinois, as Surety, are held and firmly bound unto THE PEOPLE OF THE STATE OF ILLINOIS as Obligee, in the sum of FIVE THOUSAND AND NO/100 Dollars (\$5,000.00), for which sum, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, by these presents.

THE CONDITIONS OF THIS OBLIGATION ARE SUCH, That WHEREAS, the Principal has been or is about to be granted a license or permit to do business to operate as an ABC (Agent, Broker, or Consultant) under 220 ILCS 5/16-115C and is required to execute this bond under 83 Illinois Administrative Code Part 454.80 by the Obligee.

NOW, Therefore, if the Principal fully and faithfully perform all duties and obligations of the Principal as an ABC, then this obligation to be void; otherwise to remain in full force and effect.

This bond may be terminated as to future acts of the Principal upon thirty (30) days written notice by the Surety; said notice to be sent to 527 East Capitol Avenue, Springfield, Illinois 62701, of the aforesaid State of Illinois, by certified mail.

Dated this 1st day of April, 2011

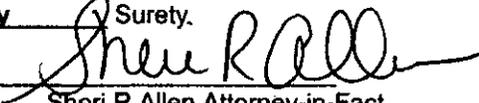
Ultimate Energy Advisors, LLC Principal

by: De. H. Deluff Managing Partner
[name] [title]

Field Code Changed
Field Code Changed

Sample License or Permit Bond for ABC Applicants

Merchants Bonding Company Surety.

by: 
Sheri R Allen Attorney-in-Fact

Field Code Changed

Field Code Changed

POWER OF ATTORNEY

Bond No. IL59300

KNOW ALL PERSONS BY THESE PRESENTS: That MERCHANTS BONDING COMPANY (MUTUAL) is a corporation duly organized under the laws of the State of Iowa, and that NATIONS BONDING COMPANY is a corporation duly organized under the laws of the State of Texas (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Sheri R. Allen and/or Bret Tomlinson

of Denton and State of Texas their true and lawful Attorney-in-Fact, with full power and authority hereby conferred in their name, place and stead, to sign, execute, acknowledge and deliver in their behalf as surety any and all bonds, undertakings, recognizances or other written obligations in the nature thereof, subject to the limitation that any such instrument shall not exceed the amount of:

FIVE MILLION (\$5,000,000.00) Dollars

and to bind the Companies thereby as fully and to the same extent as if such bond or undertaking was signed by the duly authorized officers of the Companies, and all the acts of said Attorney-in-Fact, pursuant to the authority herein given, are hereby ratified and confirmed.

This Power-of-Attorney is made and executed pursuant to and by authority of the following bylaws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on November 16, 2002 and adopted by the Board of Directors of Nations Bonding Company on April 19, 2003.

"The Chairman of the Board or President or any Vice President or Secretary shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof.

The signature of any authorized officer and the Seal of the Company may be affixed by facsimile to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 4th day of August, 2010.



MERCHANTS BONDING COMPANY (MUTUAL)
NATIONS BONDING COMPANY

By *Larry Taylor*
President

STATE OF IOWA
COUNTY OF POLK ss.

On this 4th day of August, 2010, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and NATIONS BONDING COMPANY; and that the seals affixed to the foregoing instrument are the corporate seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.

In Testimony Whereof, I have hereunto set my hand and affixed my Official Seal at the City of Des Moines, Iowa, the day and year first above written.

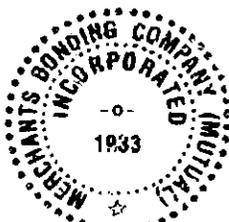


Cindy Smyth
Notary Public, Polk County, Iowa

STATE OF IOWA
COUNTY OF POLK ss.

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and NATIONS BONDING COMPANY, do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 1st day of April, 2011.



William Warner Jr.
Secretary