

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

Independent Energy Consultants, Inc. :

Application for Licensure of : Docket No.
Agents, Brokers, and Consultants :
under Section 16-115C :
of the Public Utilities Act. :

APPLICATION

Independent Energy Consultants, Inc. ("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.

Independent Energy Consultants, Inc.
215 W Garfield Road Suite 210
Aurora, OH, 44202

2. Related Information:
 - Type of business entity:[corporation, LLP, LLC, etc.] **Chapter S Corporation**
 - Jurisdiction in which and under whose laws business entity was created: **Ohio**
 - Other names under which Applicant does business (D/B/A): **N/A**

3. Contact Persons for the following:
 - a) issues related to processing this application and

Mark Burns, President Independent Energy Consultants, Inc.
215 W Garfield Road Suite 210
Aurora, Ohio 44202
Ph: 888-862-6060
mburns@naturalgas-electric.com

- b) issues related to complaint resolution [454.130]

Mark Burns, President Independent Energy Consultants, Inc.
215 W Garfield Road Suite 210
Aurora, Ohio 44202
Ph: 888-862-6060
mburns@naturalgas-electric.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)]

Independent Energy Consultants, Inc. (IEC) is an independent consulting company licensed to develop and administer electric and natural gas municipal aggregation programs. IEC brokers natural gas and electric contracts for commercial and industrial customers, manages energy efficiency projects, and provides utility accounting and bill auditing services. IEC delivers value in many ways, but primarily by saving clients money on their utility bills while protecting them from risks in the volatile energy markets.

The deregulation of natural gas and electricity services in Ohio and other states has made it possible for cities, counties, villages and townships to establish aggregation programs, or buying groups, individually or with others, that allow retail customers (such as residents and small businesses) to combine their purchasing power to achieve savings on natural gas and electricity costs. The people at Independent Energy Consultants are pioneers in the successful implementation of electricity and natural gas aggregation programs in the Ohio market.

Independent Energy Consultants is also the Manager of the [Corporate United Energy Program](#). Corporate United provides more than 170 Global-2000 companies across every industry sector with sourcing and contract management solutions. As the world's leading group purchasing organization, Corporate United helps members succeed by combining leverage, knowledge, and sourcing expertise to achieve more from supply chain efforts. As Manager of the Corporate United Energy Program, we are working with member companies to source natural gas and electric supply, track and audit their current utility spend, and to identify ways of conserving energy within their organizations

The representatives of Independent Energy Consultants work with commercial and industrial customers to help them achieve savings on natural gas and electricity costs. We are independent energy brokers and feel so strongly about the importance of this, we included it in our company name. When clients partner with Independent Energy

Consultants, they know we are always working in their best interest. While working for clients is important we also maintain and foster good relationships with utilities and certified suppliers. However, unlike many energy brokers, we have avoided the formal ties that create conflicts of interest or limit a customer's supply options.

When sourcing natural gas and/or electricity for our Commercial and Industrial Clients our energy brokers encourage a time-proven approach that builds the foundation for a true partnership with our clients. We also believe in tying our success to our clients whenever possible.

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)]

Independent Energy Consultants (“Applicant”), hereby certifies that it has read Section 16-115C of the Illinois Public Utilities Act and that Application exceeds the requirements set forth therein. Included with our certification application are supporting documents that demonstrate our experience and expertise in the field of energy brokerage and aggregation. We are certified as brokers and aggregators of electric and natural gas in the states of Ohio, Texas and Virginia and currently serve large commercial and industrial customers and have over 100 relationships with Ohio communities through our electric and natural gas aggregation programs.

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)]

**The Registered Agent for Independent Energy Consultants is:
Illinois Corporation Service Company
801 Adlai Stevenson Drive
Springfield, IL 62703
Ph: 800-927-9800
Fax: 217-492-2727**

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.

Independent Energy Consultants has passed the scrutiny of various State regulators that requiring licensing and/or certification. Independent Energy Consultants has proven that it has the Managerial, Technical and Financial resources to effectively operate in the complex business of energy brokerage and aggregation. Independent Energy Consultants, Inc. is licensed, certified or registered by the State of Ohio, Texas and Virginia. We have never had a complaint filed against us in any state. Shown below are the respective state licenses.

- **Public Utilities Commission of Ohio Electric Aggregator and Broker Certification (04-116(4)).**
- **Public Utilities Commission of Ohio Natural Gas Aggregator and Broker Certification (04-078(4)).**
- **State Corporation of Virginia Electric and Natural Gas Aggregator and Broker License (A-17)**
- **Public Utilities Commission of Texas Aggregator Registration (80-252)**

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)]

Independent Energy Consultants understands and certifies that it will comply with the requirements identified in 8a-f above.

MANAGERIAL LICENSING QUALIFICATIONS [Section 454.60]

9. Applicant meets the managerial qualifications set forth in Part 454.60, as demonstrated in Attachment 1. Attachment 1 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 1 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.]

Independent Energy Consultants has the Managerial Qualifications to provide energy aggregation, brokerage and consulting services. We have successfully demonstrated that to other state Public Utility Commissions and are licensed to provide those services in Ohio, Texas and Virginia. Our detailed response is provided in Attachment 1 of our application.

TECHNICAL LICENSING QUALIFICATIONS [Section 454.70]

10. Applicant meets the technical qualifications set forth in Part 454.70, as demonstrated in Attachment 2. Attachment 2 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).

Independent Energy Consultants has the Technical Qualifications to provide energy aggregation, brokerage and consulting services. We have successfully demonstrated that to other state Public Utility Commissions and are licensed to provide those services in Ohio, Texas and Virginia. Our detailed response is provided in Attachment 2 of our application.

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.

Independent Energy Consultants has the Financial Qualifications to provide energy aggregation, brokerage and consulting services. We have successfully demonstrated that to other state Public Utility Commissions and are licensed to provide those services in Ohio, Texas and Virginia. Our detailed response is provided in Attachment 3 of our application.

[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].

Independent Energy Consultants understands the requirements and prohibitions identified by 12 a-h above. We certify that we will comply with the requirements of the Code of Conduct.

REPORTING REQUIREMENTS [SECTION 454.110]

13. Applicant agrees to submit reports in accordance with annual reporting requirements. [454.110]

Independent Energy Consultants understands the annual reporting requirements of 454.110 and agrees to comply with the same.

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,

Independent Energy Consultants, Inc.

By: Mark R Burns

Mark R. Burns
President,
Independent Energy Consultants, Inc.
[Specify officer, agent, or attorney]

VERIFICATION

STATE OF OHIO)
COUNTY OF PORTAGE)

Mark Burns being first duly sworn, deposes and says that he is the President of Independent Energy Consultants, Inc.; that he has read the foregoing Application of Independent Energy Consultants, Inc., 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 R. Burns

Mark Burns
[Name of person verifying application]

Subscribed and sworn to before me
this 20 day of July, 2011.

Laura L. Murphy
Notary Public

[Stamp of Notary]



LAURA L. MURPHY
Notary Public, State of Ohio
My Commission Expires Feb. 11, 2013