

Proposed order 11-0493 Brief & Corrections

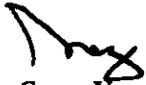
ORIGINAL

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

Application for Licensure of Agents
Brokers, and Consultants under
Section 6-115C of the Public Utilities Act

Judge Albers, I apologize for the back and forth confusion with the submission of my ABC application. I mistakenly sent only the elements you requested without the balance for the document obviously causing confusion. As seen by my extended work history, I have demonstrated over many years sufficient managerial experience to insure I properly manage the responsibilities bestowed under ABC. Electric revenues represent a significant element in my business plan. I would certainly appreciate your re-review of my attached application and documentation. Thank you for your consideration.

Regards



Greg Yuenger
Recourse Advisors LLC

**ILLINOIS COMMERCE
COMMISSION**
2011 AUG 24 A 11:03
CHIEF CLERK'S OFFICE

Certificate of Service

Please take notice that on August 16th, 2011 I, Greg Yuenger, hereby certify that I did file the above and foregoing Response to Administrative Law Judge's Ruling with the Illinois Commerce Commission and served the persons identified on the docket's service list via U.S. regular mail

A handwritten signature in black ink, appearing to read 'Greg Yuenger', is written over a horizontal line.

Greg Yuenger

Judge John Albers
527 E Capitol Ave
Springfield, IL 62701

Ms. Mona Elsaid
527 E Capitol Ave
Springfield, IL 62701

Mr. Phil Hardas
527 E Capitol Ave
Springfield, IL 62701

LICENSE AND PERMIT BOND



STATE FARM FIRE AND CASUALTY COMPANY

BLOOMINGTON, ILLINOIS

KNOW ALL PERSONS BY THESE PRESENTS, That we, _____
GREG YUENGER
of **RECOURSE ADVISORS LLC; 928 MARYKNOLL CIR; GLEN ELLYN IL 60137** _____ as Principal,
and STATE FARM FIRE AND CASUALTY COMPANY, a corporation organized under the laws of the State of Illinois,
having its principal office in the city of Bloomington, Illinois, as Surety, are held and firmly bound unto _____
PEOPLE OF THE STATE OF ILLINOIS
in the full and aggregate sum of **FIVE THOUSAND EXACTLY**----- Dollars (**\$5000.00**)
lawful money of the United States, for which payment well and truly to be made, we bind ourselves, our heirs, executors,
administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that whereas the said Principal has been granted a
ABC

for a term beginning 6/6/2011 and ending 6/6/2012

NOW, THEREFORE, if the above Principal shall indemnify and save harmless the Obligee, against loss by reason of
said Principal's breach of any ordinance, rule or regulation relating to the above described license or permit, then this
obligation shall be null and void, otherwise to remain in full force and effect.

Provided, that if the Surety shall so elect, this bond may be cancelled by giving thirty (30) days notice in writing to
the said Obligee and this bond shall be deemed cancelled at the expiration of said thirty (30) days; but said Surety so filing
said notice shall not be discharged from any liability already incurred under this bond or which shall accrue hereunder
before the expiration of said thirty (30) day period.

This bond may be continued from year to year by means of a continuation certificate.

Signed, sealed and dated this 6TH day of JUNE, 2011.

GREG YUENGER
Principal

By: _____

STATE FARM FIRE AND CASUALTY COMPANY

By: _____
Attorney-in-fact



Attachment 1

As a business consultant Greg Yuenger has 35 years experience managing in excess of 100 people with a budget in excess of 100 million. In addition he was responsible for managing the largest and most successful P&L for a division of Fujitsu, then the 50th largest corporation nationally. Greg earned a BBA from the University of Wisconsin with an Executive MBA from Northwestern Kellogg School of Business.

Recourse Advisors
Organizational Chart of Responsibilities

President & CEO

Customer Facing

Business Process

1st Line Project Mgt.

All Audit and Analysis for reduction activities by others

GREG YUENGER

928 Maryknoll Circle, Glen Ellyn, IL 60137 *(h) 630-469-4760 * (c) 630-215-6868 * gyuenger@yahoo.com

EXECUTIVE PROFILE **VICE PRESIDENT SALES**

Results oriented sales executive with extensive enterprise sales history of constantly exceeding sales goals by leading and motivating managers to achieve stated corporate objectives. Specializes in developing personal relationships with senior level managers at Fortune 500 and 1000 clients and other key accounts.. Outstanding strategist adept at contract negotiations with complex accounts. Strong technical competence and business acumen leverages strategic positioning and managing across multiple disciplines. Dedicated manager who creates and leads successful teams in fast-paced environments.

Selected Highlights

- > Lead technology start-up in the Midwest creating market visibility, awareness, and revenue multiples ultimately leading to an acquisition. (Recourse Technologies)
- > Designed a value based pricing methodology replacing cost plus process creating a 8% margin expansion (Fujitsu)
- > Re-structured a box based sales strategy to an enterprise based solution driven value model. These modifications increased new business activity by 38%. (Rockwell)
- > Achieved both highest margin contribution and booking performance in same fiscal period. (Fujitsu)
- > Launched a Regional Technical Center (TAC) in Midwest, one strata below National TAC, to provide 1st line support for technicians and hands-on interactive customer support. Created incredible revenue opportunity, improved field productivity, and greatly enhanced customer satisfaction, This program was duplicated coast to coast. (Fujitsu)
- > Manager of the Year recognition five times. (Fujitsu)

Areas of Expertise

Closing Deals * Business Development * Business Planning* Mentoring/Coaching
P&L/Capital Management * Contract Negotiations * Strategic Planning * Team Building/Leadership
Key Client Interface * New Market Development * Emerging Technologies

PROFESSIONAL SUMMARY

Rightview Inc. **President**

2004 - Present

Our firm is a design/build company focusing on luxury late mid-market and high end residential single family homes. I have overall responsibility for all site selection, structure design, procurement, resource selection, project management, financial management, product sales, and customer satisfaction.

Symantec Corp./Recourse Technologies

2001 – 2004

A Global leader in internet security, delivering a broad spectrum of software applications for the enterprise. Symantec bought Recourse Technologies, a start-up in the enterprise security space offering a then leading edge technology.

Director Enterprise Sales – Midwest

First to lead newly created Midwest team. Effectively recruited and developed a new team to pursue and penetrate targeted large enterprise opportunities.

- > Achieved 107% of sales budget resulting in a 52% year over year revenue increase - 14M Budget

Vice President Sales – Central (Recourse Technologies)

Responsible for developing Central states sales team, creating market visibility and market awareness anticipating a near-term acquisition potential.

- > Drove 1.6M in new sales, accelerating market multiples ultimately leading to a Symantec acquisition in August 2002.

Fujitsu Business Communication

1987 – 2001

A \$150 million subsidiary of Fujitsu Limited, a leading edge technology provider of software, hardware, and professional services for large and midsize enterprise.

Vice President – Enterprise Sales

As Corporate Officer, I was directly engaged in policy and strategic planning for all corporate activities. National responsibility for Fujitsu's Emerging Technologies Group. Managed Fujitsu's Direct Sales organization from Ohio West for large multi-location enterprise customers. Assumed National responsibility for Fujitsu's Channel and Dealer network. Reported to CEO. Parent company changed strategic direction in North America and closed subsidiary.

- > 32% annualized expansion of Dealer Partners – achieved 27% revenue growth in a tough market.
- > Re-energized Sales Team – building out seven Branch operations resulting in a 41% period revenue expansion.
- > Consolidated Direct sales focus on core business and emerging IP space, eliminating non-competitive wideband application resources – cost savings of 13 million per year.
- > Designed value based pricing methodology replacing cost plus process fostering greater competitive pricing while creating an 8% margin expansion.

Rockwell Electronic Commerce

1999 – 2000

A \$225 million subsidiary of Rockwell International, a leader in CRM, CTI solutions, e-commerce applications, enterprise-oriented automated e-mail response applications, mission critical call center technologies and associated professional services.

Director of Sales

Managed a \$110 million sales budget, supporting 81 employees across Central and Western U.S. Reported to Sr. VP Global Sales/Operations.

- > Re-structured a box based sales strategy to an enterprise based application oriented solution driven value model. These modifications increased new business activity by 38%.
- > Achieved 4.5% margin uplift by focusing on profit improvement programs that targeted indirect costs, and by focusing on customer business issues, adding value, not by selling technology.

Fujitsu Business Communications

1993 – 1999

General Manager – Central

P & L responsibility for largest and most profitable business unit. Managed a \$33M budget. Eight sales teams, eleven states, 56 employees, spanning Direct Sales, Distribution Sales, Administration, Engineering, and all operations including Maintenance and Installation services. Reported to Sr. VP Field Operations..

- > Developed and implemented simplified estimating techniques, operation methods, and pricing policies in the sales Distribution channel creating a new culture making the central region the number one volume and margin contributor.
- > Achieved highest margin contribution and booking performance in the same fiscal period.
- > Developed national embedded base sales/support program, which totally restructured the sales/service relationship, Increasing operating margins 4%.
- > Launched a Regional Technical Center (TAC) one strata below National TAC to provide 1st line support for technicians and hands-on interactive customer support. Created an incredible revenue opportunity, improved field moral, productivity, and greatly enhanced customer satisfaction. This program was duplicated coast to coast.

Regional Sales Manager

1991 - 1992

Supported seven account managers and engineering, 6.5 million budget, reported to GM.

- > 100% team achievement and participation for President's Club. All seven account managers and entire sales Engineering team qualified. This was a first.
- > Initiated a strong technology based and skills based training program resulting in nationwide recognition of Chicago as the premier sales team..

National Account Manager

1988 – 1990

- > Consistently exceeded sales projections by selling highly integrated multi-location network opportunities.
- > Dominated North Central U.S. healthcare segment. Represented Fujitsu's largest healthcare embedded base

EDUCATIONAL & PROFESSIONAL DEVELOPMENT

University of Wisconsin BBA / Finance, Business Economics

Northwestern Kellogg Graduate School of Management

Executive MBA Program/ KMI

HONORS/AFFILIATIONS

"Manager of the Year" Awards – Five (5) Times
"Received Top Honors", #1 Nationally for Sales – Six (6) Times
Received President's Club Recognition – Eighteen (18) Times

[Form for ABC Applicants]

[The Form for ABC Applicants has been prepared by the Staff of the Illinois Commerce Commission. It is intended to be a source of information and a template that may be of use to entities petitioning the Illinois Commerce Commission to be licensed as an Agent, Broker, and Consultant ("ABC") under Section 16-115C of the Public Utilities Act ("Act") [220 ILCS 5/16-115C] and 83 Ill. Adm. Code 454 ("Part 454"), Licensure of Agents, Brokers, and Consultants. The Form is presented in a generic format and should be individually tailored by each ABC applicant before submitting to the Illinois Commerce Commission. The Form is not intended to constitute legal advice regarding compliance with Section 16-115C of the Act, 83 Ill. Adm. Code 454, or any applicable case law.] [Remove highlighted sections before submitting to the Illinois Commerce Commission.]

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

[Name of Applicant] Recourse Advisors LLC :
:
Application for Licensure of : Docket No. 11-0493
Agents, Brokers, and Consultants :
under Section 16-115C :
of the Public Utilities Act. :

APPLICATION

[Name of Applicant] ("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 Recourse Advisors LLC
Street number and name 928 Maryknoll
City, State abbreviation, and ZIP code Glen Ellyn, IL 60137

2. Related Information:

- Type of business entity: [corporation, LLP, LLC, etc.] LLC
- Jurisdiction in which and under whose laws business entity was created: IL
- Other names under which Applicant does business (D/B/A): none

3. Contact Persons for the following:
- a) issues related to processing this application and
 - b) issues related to complaint resolution [454.130]

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

Greg Yuenger
928 Maryknoll
Glen Ellyn, IL 60137
Gyuenger@recourseadvisors.com
630-215-6868 - Business
630-413-4909 - Fax

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

Recourse advisors LLC is a business consulting company focused on delivering cost reductions strategies to midsize companies. We have in total nine different programs all of which are performance based; meaning 100% of our financial opportunity is a result of actual cost reduction activities implemented by our clients. Four of our programs are federally based programs with the balance somewhat obscure but necessary corporate services. Deregulated Energy is the only commodity-based strategy.

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)]

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)]

Greg Yuenger
928 Maryknoll
Glen Ellyn, IL 60137
Gyuenger@recourseadvisors.com
630-215-6868 --Business
630-413-4909 - Fax

Form for ABC Applicants

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.

I/We have no similar licence in any other jurisdiction. I/we have never had a complaint in any jurisdiction regarding gas or electric.

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 1. Attachment 2 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.]

Please see attached resume

Applicant meets the managerial qualifications set forth above as detailed in Attachment 1 & 2 and attached resume

TECHNICAL LICENSING QUALIFICATIONS [Section 454.70]

10. Applicant meets the technical qualifications set forth in Part 454.70, as demonstrated in Attachment 1. 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). [The attachment shall identify the persons who are being used to meet each of the requirements of Part 454.70. Attachment should include narrative and/or resumes of key personnel showing clearly how the technical experience requirement is being met.]

Please see attached resume - currently the only employee

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. [Attach the license or permit bond required by Part 454.80(a) and proof that the surety meets the definition of "qualifying surety" as set forth in Part 454.10.] Please see attached Bond

[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;

Form for ABC Applicants

- 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]

Form for ABC Applicants

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,

[Name of Applicant] Recourse Advisors

LLC

By: 
[Specify officer, agent, or attorney] officer

Name of Attorney Greg Yuenger

Attorney's Firm or Company Name Recourse Advisors

Address of Attorney 928 Maryknoll Glen Ellyn, IL

Attorney's Telephone Number 630-215-6868

Attorney's Fax and E-mail (optional) gyuenger@recourseadvisors.com 630-413-4909

fax

VERIFICATION

STATE OF Illinois
COUNTY OF DePue

Greg Yuenger, being first duly sworn, deposes and says that she/he is [the]
[a(n)] President [of][for] [Applicant]; that he/she has read the foregoing
Application of [Applicant], 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 [her][his] knowledge,
information and belief.

Raymond P. Adams
[Name of person verifying application]

Subscribed and sworn to before me
this 3rd day of August, 2011.

Joseph C. Slawa
Notary Public

[Stamp of Notary]

