

ORIGINAL

ILLINOIS COMMERCE
COMMISSION

2011 OCT 18 A 10: 17

CHIEF CLERK'S OFFICE

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

American Utility Management, Inc.

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

Docket No.

11-0686

APPLICATION

American Utility Management, 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:

1. Applicant's name and street address.

American Utility Management, Inc.
333 E. Butterfield Rd., 3rd Floor
Lombard, IL 60148

2. Related Information:

- Type of business entity: Corporation
- Jurisdiction in which and under whose laws business entity was created: Illinois
- Other names under which Applicant does business (D/B/A): AUM

3. Contact Persons for the following:

- a) issues related to processing this application :
Michele Smurzynski, paralegal, 333 E. Butterfield Rd. 3rd Floor, Lombard, IL, 60148, 630-218-1400 ex3247, msmurzynski@aum-inc.com
- b) issues related to complaint resolution:
Dimitris Kapsis, Senior VP Energy Management Solutions, 333 E. Butterfield Rd. 3rd Floor, Lombard, IL 60148, 630-218-1445, dkapsis@aum-inc.com

4. Description of Applicant's business. See attachment exhibit A

5. American Utility Management, Inc. (AUM) hereby certifies through this application and all attachments listed as exhibits A-E that it meets the requirements set forth in Section 16-115C of the Act.

6. The name, address, telephone number, any facsimile number and any e-mail address of the agent registered with the Illinois Secretary of State.

Michael G. Miller, 333 E. Butterfield Rd., 3rd Floor, Lombard, IL 60148, 630-218-1400, 630-218-1401, mmiller@aum-inc.com

7. American Utility Management, Inc. (AUM) is licensed as a gas and electric aggregator in the state of New Hampshire. To date there have been no complaints filed.

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; See attachment exhibit B

b) shall comply with all terms and conditions required by Section 16-115C of the Act;

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;

d) shall remain in compliance with the provisions of the Act and Part 454;

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

f) shall preserve the confidentiality of its customers' data.

MANAGERIAL LICENSING QUALIFICATIONS

9. Applicant meets the managerial qualifications set forth in Part 454.60, as demonstrated in Attachment exhibit A. Attachment C 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 & D includes exhibits 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

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

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. See attachment exhibit E.

CODE OF CONDUCT

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].

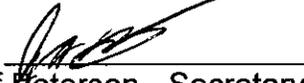
REPORTING REQUIREMENTS [SECTION 454.110]

- 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,

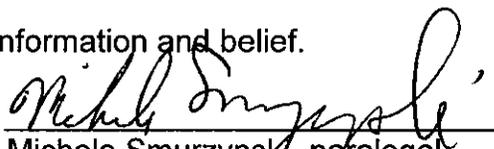
American Utility Management, Inc.

By: 
Jeff Peterson - Secretary

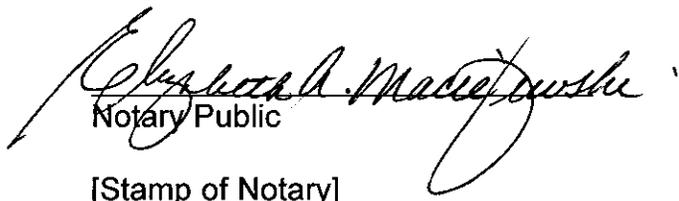
VERIFICATION

STATE OF ILLINOIS)
COUNTY OF DUPAGE)

I, Michele Smurzynski, being first duly sworn, deposes and says that she is the Corporation's paralegal who prepared the application for American Utility Management, Inc.; she has read the foregoing Application of American Utility Management, 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 her knowledge, information and belief.


Michele Smurzynski -paralegal

Subscribed and sworn to before me
this 14th day of October, 20 11.


Notary Public
[Stamp of Notary]

