

ILLINOIS COMMERCE COMMISSION

Live Energy Inc. :

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

Docket No.

12-0051

APPLICATION

Live Energy 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

Applicant's name and street address.

Live Energy Inc.

1124 Glade Rd. Suite 140

Colleyville, TX 76034

2. Related Information:

- Type of business entity: corporation
- Jurisdiction in which and under whose laws business entity was created: Texas
- Other names under which Applicant does business (D/B/A): Live Energy

3. Contact Persons for the following:

- a) issues related to processing this application
Saint Clair Newbern IV
CEO
1124 Glade Rd Suite 140
Colleyville, TX 76034
214-699-4441
stclair@liveenergy.com

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b) issues related to complaint resolution
Paul Fershtand
Senior Analyst
1124 Glade Rd Suite 140
Colleyville, TX 76034
214-699-4442
paul@liveenergy.com

4. Description of Applicant's business.

Energy Consultant / Energy Broker

5. A statement in support of application, supporting documents, and schedules containing information showing that the applicant meets the requirements of Section 16-115C of the Act.

Live Energy Inc has read, supports, meets the requirements, and will adhere to 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. 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.

Debra Williams

3708 W Lincoln Avenue

Peoria, IL 61604

Peoria County

Phone: 309-634-6044 Fax: 888-679-8222 deb@debsprofessionalservices.com

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.

Applicant is currently licensed with the Pennsylvania Utility Commission. Applicant has not had any complaints filed against it for the provision of any 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;

Applicant certifies that we are licensed to do business in the State of Illinois and are in compliance with all other applicable laws, regulations and Commission rules and orders

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

Applicant certifies it 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;

Applicant certifies that it shall ensure any person who acts on its behalf 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;

Applicant certifies that it 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

Applicant certifies that we shall ensure 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

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

Applicant certifies that it shall preserve the confidentiality of our customer's data.

MANAGERIAL LICENSING QUALIFICATIONS

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 A 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

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

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

12. Applicant certifies that it shall:

- a) Disclose in plain language in writing the nature of the services offered by the ABC;

Applicant certifies it will disclose in plain language in writing the nature of the service 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;

Applicant certifies it will disclose in plain language in writing to all persons it solicits the total anticipated remuneration to be paid by any third party over the period of the proposed underlying customer contract prior to executing a contract

- 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;

Applicant certifies to not hold itself out as an independent or unaffiliated with any RES, or both, or use words calculated to give that impression unless offering service under this Section 16-115C of the Act has no contractual relationship with any RES or 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;

Applicant certifies to 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;

Applicant certifies to maintain copies of all marketing materials disseminated to third parties for no 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;

Applicant certifies to maintain copies of all disclosure statements required by subsections (a) and (b) for no 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

Applicant certifies it will not present electricity pricing information in a manner that favors one supplier over another, unless a valid pricing comparison is made utilizing all relevant cost and terms.

- h) Comply with the requirements of Sections 2EE, 2FF, 2GG, and 2HH of the Consumer Fraud and Deceptive Business Practices Act

Applicant certifies it will comply with the requirements of Sections 2EE, 2FF, 2GG and 2HH of the Consumer Fraud and Deceptive Business Practices Act.

REPORTING REQUIREMENTS

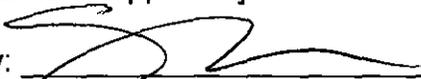
13. Applicant agrees to submit reports in accordance with annual reporting requirements.

Applicant certifies to submit reports in accordance with annual reporting.

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]

By: 

[Specify officer, agent, or attorney]

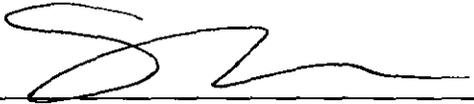
Attorney Information:

Carl Clarke
Law Office of Carl Clark
1707 River Run Rd Suite 1000
Phone: 817-870-2647
Fax: 817-335-8658

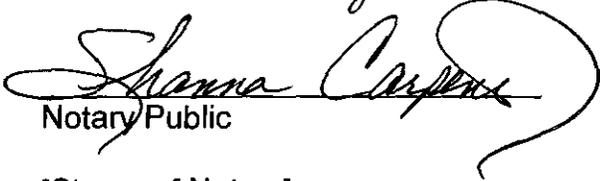
VERIFICATION

STATE OF Texas,
COUNTY OF Tarrant

G. Clair Newbern IV, 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.


[Name of person verifying application]

Subscribed and sworn to before me
this 2 day of August, 2011.


Notary Public

[Stamp of Notary]

