

Starion Energy PA Inc.

Application for Certificate of  
Service Authority under Section  
16-115 of the Public Utilities Act.

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Docket No.

12-058

APPLICATION

Starion Energy PA Inc. ("Starion" or "Applicant"), hereby requests that the Illinois Commerce Commission ("Commission") grant it a certificate of service authority pursuant to Section 16-115 of the Public Utilities Act ("Act"). In support of its application, Applicant states as follows:

GENERAL [451.20, 451.30, 451.210, and 451.310]

1. Applicant's name and street address: [451.20(c)(1)]:

**Starion Energy PA Inc.**  
**220 Main Street South, Suite 206**  
**Southbury, CT 06488**

2. Related Information:

- Type of business entity: **Corporation**
- Jurisdiction in which and under whose laws business entity was created: **Delaware**
- Other names under which Applicant does business (D/B/A): **N/A**
- Federal Employer Identification Number: **27-2891210**
- Registered Agent in Illinois:  
**InCorp Services**  
**901 S. 2<sup>nd</sup> Street, Suite 201**  
**Springfield, IL 62704-7909**

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COMMISSION

3. Contact Persons for the following:

a) issues related to processing this application:

**Ruzhdi Dauti, President**  
**Starion Energy PA Inc.**  
**220 Main Street South, Suite 206**  
**Southbury, CT 06488**  
**800-600-3040 (phone); 203-262-6001 (fax)**  
[ruzhdi@starionenergy.com](mailto:ruzhdi@starionenergy.com)

b) issues related to retail customers, including complaint resolution:

**Lisa Schmidt, Customer Care and Quality Assurance Manager**  
**Starion Energy PA Inc.**  
**220 Main Street South, Suite 206**  
**Southbury, CT 06488**  
**800-600-3040 (phone); 203-262-6001 (fax)**  
[lisa@starionenergy.com](mailto:lisa@starionenergy.com)

c) technical issues, including scheduling of generation, transmission, and distribution, and issues arising from relationships with other providers of electric services:

**Ruzhdi Dauti, President**  
**Starion Energy PA Inc.**  
**220 Main Street South, Suite 206**  
**Southbury, CT 06488**  
**800-600-3040 (phone); 203-262-6001 (fax)**  
[ruzhdi@starionenergy.com](mailto:ruzhdi@starionenergy.com)

4. Starion agrees to accept service by electronic means. [451.30(e)]

5. Starion is licensed to do business in the State of Illinois, as demonstrated in **Attachment A**. [451.20(d)(1)]

6. Starion will publish notice of its application for certification in the Official State Newspaper within 10 days following its filing of the application for certification. Starion will file proof of publication with the Clerk of the Commission within 5 days after publication. [451.30(a)]

7. Applicant's employees that will be installing, operating, and maintaining generation, transmission, or distribution facilities within the State of Illinois, as well as any entity with which the Applicant has contracted to perform those functions, have the requisite knowledge, skills, and competence to perform those functions in a safe and responsible manner in order to provide safe and reliable

service in accordance with the criteria stated in Section 16-128(a) of the Act [220 ILCS 5/16-128(a)].

**Starion represents that it has no intent to install, operate or maintain any generation, transmission or distribution facilities.**

8. Description of Applicant's business.

**The Applicant's parent company, Starion Energy Inc., was licensed by the Connecticut Department of Public Utility Control on December 23, 2009 (License # 09-09-10). Starion Energy Inc. serves customers in the Connecticut Light and Power and United Illuminating utility territories. The Applicant's affiliate, Starion Energy NY, was licensed by the New York Public Service Commission on June 4, 2010, commencing selling in November 2010 and serves customers in the Con Ed territory.**

**On December 29, 2010, Starion Energy PA Inc. was approved by the Maryland Public Service Commission to provide electric services in Maryland and, on February 24, 2011, was approved by the Pennsylvania Public Service Commission to provide electric services in Pennsylvania. Starion Energy PA is serving customers in Maryland and Pennsylvania. On August 17, 2011, Starion Energy PA Inc. received its certification from the Public Utilities Commission of Ohio to serve as a competitive retail electric service provider in Ohio. The Applicant filed an application for an electricity supply license in New Jersey on January 3, 2012, and received approval of its license application in the District of Columbia on January 19, 2012.**

**Starion Energy PA Inc. plans to supply electricity to residential, commercial and industrial customers in Illinois as an Alternative Retail Electric Supplier. Starion will buy electricity from PJM, of which we are a member, and then sell it to the end user. Starion will offer variable and fixed price products.**

**Starion is not affiliated with an Illinois utility and has no affiliates operating in the state of Illinois.. [451.30(c)(1)]**

9. Geographic area in which Applicant seeks to be authorized to offer service (if less than entire State, provide detailed description) and the types of services it intends to offer. [451.30(c)]

**Starion will be serving customers in the entire Commonwealth Edison territory in Illinois.**

10. Identification of the Part 451 subpart (Subpart B, C, D, or E) under which the applicant is filing. Description of the characteristics of customer group(s) Applicant proposes to serve. [451.30(c)(2)]

**Starion will be serving Subpart D, all retail customers, which is comprised of residential, commercial and industrial customers.**

11. Starion notified the designated in-state agent for each affected utility that Starion intends to serve customers in that utility's service area, [451.30(c)(3)] **See Attachment 2.**
12. Starion certifies that it:
- a) will comply with all applicable Federal, State, regional and industry rules, practices, policies, procedures and tariffs for the use, operation, maintenance, safety, integrity, and reliability of the interconnected electric transmission system; [451.20(a)]
  - b) will comply with informational and reporting requirements that the Commission may by rule establish; [451.20(b)]
  - c) complies with all other applicable laws and regulations and Commission rules and orders; [451.20(e)]
  - d) complies with all terms and conditions required by Sections 16-115A(a), (b), and (f), 16-119, 16-123, 16-125(b) and (c), 16-127, and 16-128(a) of the Act, to the extent those Sections have application to the services being offered by the alternative retail electric supplier; [451.30(d)(2)] and
  - e) complies with all terms and conditions required by Section 16-115A(c) of the Act. [451.210 and 451.310(a)]
13. Starion agrees to submit good faith schedules of transmission and energy in accordance with applicable tariffs. [451.20(a)]
14. Starion certifies that it will provide for review by Staff on a confidential and proprietary basis data related to contracts for the purchase and sale of electric power and energy; [451.20(b)]
15. Starion shall certify it will procure renewable energy resources as required by Section 16-115D and subsection (d) of Section 16-115 of the Act, or shall certify that Section 16-115D and subsection (d) of Section 16-115 of the Act do not apply to it pursuant to subsection (h) of Section 16-115D of the Act. [451.20(f)].
16. Starion shall certify that it will source electricity from clean coal facilities, as required by Section 16-115(d)(5) of the Act. [451.20(g)]
17. Starion agrees to adopt and follow rules and procedures ensuring that authorizations received from customers, customer billing records, and requests for delivery service transmitted to utilities are retained for a period of not less than two calendar years after the calendar year in which they were created. [451.40(a)]

18. Starion agrees to adopt and follow rules and procedures to preserve the confidentiality of its customer's data. [451.40(b)]
19. State whether Applicant currently has authority from the Commission to be an ARES, and if so, the Docket Number under which such authority was granted.

**Starion does not currently have authority from the Commission to be an ARES.**

20. A statement to disclose whether it is licensed as an alternative retail electric supplier in any other jurisdictions, similar to the licensure required under Section 16-115 of the Illinois Public Utilities Act. Additionally, 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, Applicant is directed to include in its response the nature of the complaint, the jurisdiction, and the ultimate resolution.

**See Attachment C.**

LICENSE OR PERMIT BOND [451.50]

21. Applicant is required to execute and maintain a copy of the 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 the amount specified in Part 451.50(a) for the appropriate group of customers Starion seeks certification to serve. [Attach a copy of the license or permit bond required by Part 451.50(a) and proof that the surety meets the definition of "qualifying surety" as set forth in Part 451.10.]

[A list of Sureties that meet the definition of "qualifying surety" can be found on the Department of the Treasury's Listing of Approved Sureties (Department Circular 570) (<http://www.fms.treas.gov/c570/c570.html>)]

**See Attachment D.**

FINANCIAL QUALIFICATIONS

22. Applicant meets one of the six financial criteria set forth in Part 451.320(a)(1-6).

**Starion plans to meet the qualifications pursuant to Section 451.320(a)(3). Please see Attachment E for documentation from the RTO, PJM, demonstrating that we are a member. Also, Attachment E contains a verified statement from a corporate officer that we will purchase 100% of our electric energy from the RTO for delivery to the service territories of the utility for which we are seeking an ARES certificate.**

23. Starion will not provide electric power and energy with property, plant and equipment that it owns, controls, or operates.

TECHNICAL QUALIFICATIONS

24. Starion will not use electric generation, transmission or distribution facilities that it owns, controls or operates in serving customers.

Applicant meets the requirements of Part 451.330 as demonstrated in Attachment F

[List each technical qualification from the applicable code part, and identify by name the individual(s) on Applicant's staff with relevant experience. The attachment should provide resume information for the named individuals that applicant believes satisfies the applicable technical experience requirements, including the duration of that experience.]

[for Subparts B, C, D, or E] The following individuals on Applicant's staff have experience working with Applicant's facilities or an electric generation, transmission, or distribution facility that is substantially similar to the facility that Applicant owns:

**Ruzhdi Dauti**

**Steve Malkiewicz (contracted consultant)**

**Ed Toppi (contracted consultant)**

[for Subparts B, C, or D] The following individuals on Applicant's staff have experience buying and selling power and energy in wholesale markets:

**Ruzhdi Dauti**

**Steve Malkiewicz (contracted consultant)**

**Ed Toppi (contracted consultant)**

[for Subparts C or D] The following individuals on Applicant's staff have experience working for an entity that is either a member of PJM, a market participant in the Midwest ISO, or has a system operator certificate from NERC, or has earned Certified Energy Procurement Professional status by the Association of Energy Engineers (or equivalent certification):

**Ruzhdi Dauti**

**Steve Malkiewicz (contracted consultant)**

**Ed Toppi (contracted consultant)**

Starion agrees to maintain the following telephone number, fax number, and address where Starion's staff can be directly reached at all times. Starion

Form for ARES Applicants

understands that maintenance of an answering service or machine, pager, or similar message-taking procedure does not satisfy this requirement. 451.330(c).

**Telephone # 312-612-9508**

**Fax # 203-262-6001**

**Address 220 Main Street South, Suite 206  
Southbury, CT 06488**

MANAGERIAL QUALIFICATIONS

25. Starion meets the managerial qualifications set forth in Part 451.340, as demonstrated in **Attachment G**. **Attachment G** includes an exhibit containing a corporate organizational chart and identifying the persons or agents who are being used to meet each of the requirements of Part [list applicable code part: 451.130(b), 451.240(b), or 451.340(b)].

[List each of the managerial qualifications from the applicable code part, and identify by name the individual(s) on Applicant's staff with relevant experience. The attachment should provide resume information for the named individuals that applicant believes satisfies the applicable managerial experience requirements, including the duration of that experience.]

[for Subpart D applicants] The following individuals in management positions on Applicant's staff have four years experience with enterprise financial and administration responsibilities including profit and loss responsibilities

**Ruzhdi Dauti**

**Steve Malkiewicz (contracted consultant)**

**Ed Toppi (contracted consultant)**

**Tom Stiner**

[for Subpart D applicants] The following three individuals in management positions on Applicant's staff have four years experience buying and selling power and energy in wholesale markets:

**Ruzhdi Dauti**

**Steve Malkiewicz (contracted consultant)**

**Ed Toppi (contracted consultant)**

[for Subpart D applicants] The following three individuals in management positions on Applicant's staff have four years electric system operational experience:

**Ruzhdi Dauti**

**Steve Malkiewicz (contracted consultant)**

**Ed Toppi (contracted consultant)**

26. Starion is relying on one or more agents or contractors to meet the technical and managerial requirements of Part 451.330 and 451.340. Each agent and contractor on whom the Applicant relies to meet these requirements is disclosed on **Attachment G**. Attachment should include narrative and/or resumes of agent's or contractor's key personnel showing clearly how each applicable technical or managerial experience requirement is being met. [451.350(a), or 451.430(a)]. Applicant certifies that each such agent or contractor will comply with all the sections of Part 451 that are applicable to the functions to be performed by the respective agent or contractor. [451.350(b), or 451.430(b)]

FINANCIAL QUALIFICATIONS FOR SINGLE BILLING SERVICE [451.510]

27. Starion does not intend to provide single billing services.

GENERAL PROVISIONS FOR APPLICANTS FILING UNDER SUBPART D [451.310]

28. Starion has not been denied an electric supplier license in any state in the United States. [451.310(c)(1)]
29. Starion has not had an electric supplier license suspended or revoked by any state in the United States.
30. Starion has other electric supplier license applications pending in the United States: [451.310(c)(3)] as follows:

**New Jersey**

31. Starion is not the subject of any lawsuits that were filed in a court of law or formal complaints that were filed with a regulatory agency alleging fraud, deception or unfair marketing practices, or other similar allegations. [451.310(c)(4)]
32. Starion certifies that its marketing materials which make statements concerning prices, terms and conditions of service contain information that adequately discloses the prices, terms and conditions of the products or services that Starion is offering or selling to the customer. [451.310(d)(1)]
33. Starion certifies that before any customer is switched from another supplier, Starion will give the customer written information that adequately discloses, in plain language, the prices, terms and conditions of the products and services being offered and sold to the customer. [451.310(d)(2)]
34. Starion certifies it will provide documentation to the Commission and to customers that substantiates any claims made by Starion regarding the technologies and fuel types used to generate the electricity offered or sold to customers. [451.310(d)(3)]
35. Starion certifies it will provide to the customer itemized billing statements that describe the products and services provided to the customer and their prices,

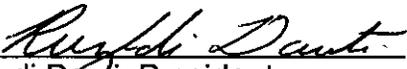
and provide an additional statement, at least annually, that adequately discloses the average monthly prices, and the terms and conditions, of the products and services sold to the customer. [451.310(d)(4)]

36. Starion certifies it will include materials comprising the consumer education program (pursuant to Section 16-117 of the Act [220 ILCS 5/16-117]) with all initial mailings to potential residential and small commercial retail customers and before executing any agreements or contracts with such customers, and that Starion will provide these materials at no charge to residential and small commercial retail customers upon request. [451.310(e) and 451.310(f)]
37. Starion certifies it will provide to residential and small commercial retail customers on a semiannual basis information on how to obtain a list of alternative retail electric suppliers that have been found in the last 3 years by the Commission (pursuant to Section 10-108 of the Act [220 ILCS 5/10-108]) to have failed to provide service in accordance with the terms of their contracts (pursuant to Section 16-117(g)(4)(C) of the Act). [451.310(g)]
38. Starion certifies it will maintain sufficient managerial resources and abilities to provide the service for which it has a certificate of authority. [451.340(d)]

WHEREFORE, Starion requests that the Commission grant its application for service authority to serve retail customers in the Commonwealth Edison and Ameren territories.

Respectfully submitted,

Starion Energy PA Inc.

By:   
Ruzhdi Dauti, President

VERIFICATION

STATE OF Connecticut ) ) ss:  
COUNTY OF New Haven

Ruzhdi Dauti, being first duly sworn, deposes and says that he is the President of Starion Energy PA Inc., that he/she has read the foregoing Application of Starion Energy PA 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.

Ruzhdi Dauti  
Ruzhdi Dauti

Subscribed and sworn to before me  
this 23 day of January 2012.

Wendy L Draskovic  
Notary Public

[Stamp of Notary]

