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ILLINOIS COMMERCE COMMISSION

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STATE OF ILLINOIS

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ILLINOIS COMMERCE COMMISSION

CHIEF CLERK'S OFFICE

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

Docket No. 12-0112

APPLICATION

BKE 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

1. Applicant's name and street address.

BKE Energy, Inc.
13420 Arlington Lane
Orland Park, IL 60462

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): BKE Mechanical, Inc.

3. Contact Persons for the following:

- a) issues related to processing this application and
- b) issues related to complaint resolution.

a) and b):
John R. Lyons
President
13420 Arlington Lane
Orland Park, IL 60462
Office 708-923-9950
Cell 312-590-1350
Fax 708-923-6851

4. Description of Applicant's business.

BKE Energy, Inc. is a broker of electricity and natural gas to third party clients. We also provide on a fee basis, consulting services for the following: utility and ARES bill auditing, budgeting, tariff and metering recommendations, site surveys, etc.

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)]:

Please see attachment "D".

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)]:

John R. Lyons
13420 Arlington Lane
Orland Park, IL 60462
Office 708-923-9950
Cell 312-590-1350
Fax 708-923-6851
Email: john@bkecontracting.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.

Currently I am not licensed in any other jurisdiction. I currently have an application in process for the state of Ohio. All of my clients to date have been large enough to exceed the 1500 KW aggregate billing in Illinois.

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)]:

See attachment "A"
 - 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 "B". Attachment "B" 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 "C" 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).

Please see attachment "B" & "C".

TECHNICAL LICENSING QUALIFICATIONS [Section 454.70]

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

Please attachment "C", especially the education. In addition to attachment "C" I have worked in sales with Energy Choices, Inc., an extremely large broker and consulting company, for natural gas and electric under the supervision of Craig

Schuttenberg for one year. Energy Choices, Inc. has another company that they run there smaller business to meet the states guidelines, Economic Energy, Inc.

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.

Please see attached \$5,000 bond.

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].

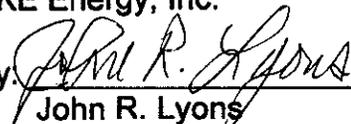
REPORTING REQUIREMENTS [SECTION 454.110]

- 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,

BKE Energy, Inc.

By: 

John R. Lyons
President
BKE Energy, Inc.

Robert Handley
Burke and Handley
1430 Branding Avenue, Suite 175
Downers Grove, Illinois 60515
630-852-9197 office
630-852-9124 Fax
rhandley@burkehandley.com

VERIFICATION

STATE OF ILLINOIS
COUNTY OF COOK

John R. Lyons, being first duly sworn, deposes and says that he is the President of BKE Energy, Inc.; that he has read the foregoing Application of BKE Energy, 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.


John R. Lyons

Subscribed and sworn to before me
this 1st day of February, 2012.


Notary Public

[Stamp of Notary]

