

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

IDT Energy, Inc.

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

:
:
:
:
:

Docket No. 12-0205

APPLICATION

IDT Energy, Inc. ("IDT"), 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, IDT states as follows

GENERAL [451.20, 451.30, 451.210, and 451.310]

1. IDT's name and street address:

*IDT Energy, Inc.
520 Broad Street
Newark, New Jersey 07102
877-887-6866
716-664-2476*

2. Related Information:

- Type of business entity:

Corporation

- Jurisdiction in which and under whose laws business entity was created:

Delaware

- Other names under which IDT does business (D/B/A):

CHIEF CLERK'S OFFICE
2012 MAR 19 11 A 10:53
ILLINOIS COMMERCE
COMMISSION

N/A

- Federal Employer Identification Number: [451.20(c)(2)]

13-4285619

- Registered Agent in Illinois:

*Illinois Corporation Service Company
801 Adlai Stevenson Drive
Springfield, IL 62703*

3. Contact Persons for the following:

- a) issues related to processing this application

*Wayne Stoughton, VP Sales, Customer Service, Regulatory Affairs
20 West Third St. - Suite 10 Jamestown, NY 14702-0400
973-438-7271 (office)
716-664-2476 (fax)
wstoughton@idtenergy.com*

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

*Wayne Stoughton, VP Sales, Customer Service, Regulatory Affairs
20 West Third St. - Suite 10 Jamestown, NY 14702-0400
973-438-7271 (office)
716-664-2476 (fax)
wstoughton@idtenergy.com*

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

*Jeff Hendler, COO
550 Broad Street
Newark, NJ 07102
973-438-3738
jeff.hendler@idt.net*

Provide each contact person's name, title, mailing address, telephone number, facsimile number, and e-mail address.

4. IDT **agrees** to accept service by electronic means. [451.30(e)]
5. Applicant is licensed to do business in the State of Illinois, as demonstrated in **Attachment A**. [451.20(d)(1)]
6. IDT **will** publish notice of its application for certification in the Official State Newspaper within 10 days following its filing of the application for certification. The applicant will file proof of publication with the Clerk of the Commission within 5 days after publication. [451.30(a)]
7. IDT's employees 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)], as demonstrated in Attachment . [451.20(d)(2)] [If applicable]

N/A

8. Description of IDT's business. IDT is not affiliated with an Illinois utility.

IDT is a retail supplier of natural gas and electricity

9. Geographic area in which IDT

IDT seeks to be authorized to offer service in all of Illinois

10. Identification of the Part 451 subpart (Subpart B, C, D, or E) under which the IDT is filing. Description of the characteristics of customer group(s) IDT proposes to serve.

*IDT Energy, Inc. intends to offer electric supply service under **Subpart D**, to residential, large and small commercial customers. Our focus is on these smaller volume customers.*

11. IDT has notified the designated in-state agent for each affected utility that IDT intends to serve customers in that utility's service area, as demonstrated in **Attachment E**. [451.30(c)(3)]

12. IDT **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) [for Subpart C and D applicants] complies with all terms and conditions required by Section 16-115A(c) of the Act. [451.210 and 451.310(a)]
13. IDT **agrees** to submit good faith schedules of transmission and energy in accordance with applicable tariffs. [451.20(a)]
14. IDT **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. IDT **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. IDT **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. IDT **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. IDT **agrees** to adopt and follow rules and procedures to preserve the confidentiality of its customer's data. [451.40(b)]
19. State whether IDT currently has authority from the Commission to be an ARES, and if so, the Docket Number under which such authority was granted.
- IDT Energy does not have authority to be an ARES at this time.*
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, 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.

IDT is a licensed supplier in New York, Pennsylvania, New Jersey and Maryland with customers in 12 different utilities as of this filing. IDT operates a customer service center that receives and processes consumer inquiries and customer complaints. All customer complaints/issues are responded to in a timely and efficient manner. To date there are no outstanding or unresolved issues/complaints. Each utility service area within each State jurisdiction requires effective customer service and complaint response. IDT's Quality Control Department coupled with our Customer Service Department meets or exceeds all requirements. IDT will meet or exceed the State of Illinois requirements as well.

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 the Applicant 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.]

See Attachment G Surety Bond

FINANCIAL QUALIFICATIONS [Clearly state 451.110, 451.220, or 451.320—Not applicable to Subpart E Applicants]

22. IDT **meets** one of the six financial criteria set forth in Part 451.110(a)(1-6), 451.220(a)(1-6), or 451.320(a)(1-6), as demonstrated in **Attachment F**, PJM Membership Certification.

IDT **certifies** it is a member of PJM and purchases 100% of its physical electric energy from PJM for delivery to the service territories of the utilities for which the applicant is seeking a certificate.

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

TECHNICAL QUALIFICATIONS [Clearly state 451.120, 451.230, 451.330, or 451.420]

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

IDT meets the requirements of [list applicable code part: Part 451.120, Part 451.230, Part 451.330, or Part 451.420] as demonstrated in **Attachment C**.

MICHAEL HARRISON
IDT ENERGY, INC.
Retail Operations Manager
Michael.Harrison@Genie.com
office: (973) 438-3942
iPhone: (917) 497-8531
West: (310) 997-2653

MANAGERIAL QUALIFICATIONS [Clearly state 451.130 and 451.140, 451.240 and 451.250, 451.340 and 451.350, or 451.430]

25. IDT **meets** the managerial qualifications set forth in [Part 451.130] [451.240] [451.340] (not applicable to Subpart E Applicants), as demonstrated in **Attachment B**. **Attachment D** 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)].
26. IDT **is not** relying on one or more agents or contractors to meet the technical and managerial requirements of Part 451.120 and 451.130, 451.230 and 451.240, 451.330 and 451.340, or 451.420. [(If Applicant is relying on such agents or contractors)] Each agent and contractor on whom the Applicant relies to meet these requirements is disclosed on Attachment . 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. [451.140(a), 451.250(a), 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. [451.140(b), 451.250(b), 451.350(b), or 451.430(b)]

FINANCIAL QUALIFICATIONS FOR SINGLE BILLING SERVICE [451.510]

27. IDT **does not** intend to provide single billing services. [(If Applicant intends to provide single billing services) A demonstration that Applicant meets one of the

four creditworthiness standards as required in Part 451.510 is set forth in Attachment _.]

GENERAL PROVISIONS FOR APPLICANTS FILING UNDER SUBPART D [451.310]

28. IDT **has not** been denied an electric supplier license in any state in the United States.
29. IDT **has not** had an electric supplier license suspended or revoked by any state in the United States.
30. IDT **has** other electric supplier license applications pending in the United States: [List each state in which an application is pending, if applicable]. [451.310(c)(3)]

Washington DC/ District of Columbia
31. IDT **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.
32. IDT **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 the Applicant is offering or selling to the customer. [451.310(d)(1)]
33. IDT **certifies** that before any customer is switched from another supplier, IDT 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. IDT **certifies** it will provide documentation to the Commission and to customers that substantiates any claims made by the Applicant regarding the technologies and fuel types used to generate the electricity offered or sold to customers. [451.310(d)(3)]
35. IDT **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. IDT **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

Applicant will provide these materials at no charge to residential and small commercial retail customers upon request. [451.310(e) and 451.310(f)]

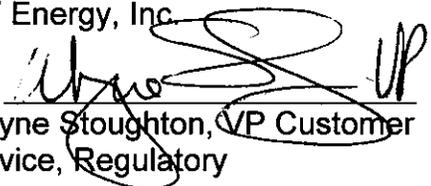
37. IDT **certifies** it will provide to residential and small commercial retail customers on a semiannual basis information on how to obtain a list of alternative retail electric suppliers that have been found in the last 3 years by the Commission (pursuant to Section 10-108 of the Act [220 ILCS 5/10-108]) 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. IDT **certifies** it will maintain sufficient managerial resources and abilities to provide the service for which it has a certificate of authority. [451.340(d)]

Form for ARES Applicants

WHEREFORE, Applicant requests that the Commission grant its application for service authority to serve retail customers [identify the characteristics of the customer group(s) that Applicant proposed to serve] in [describe area for which certification is sought, as in paragraph 7 above].

Respectfully submitted,

IDT Energy, Inc.

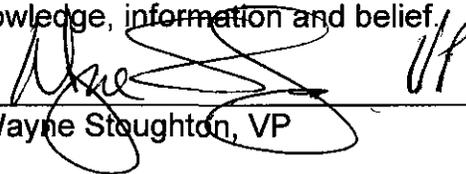
By: 
Wayne Stoughton, VP Customer
Service, Regulatory

Usher Fogel
557 Central Avenue, Suite 4A
Cedarhurst, N. Y. 11516
Tel. No. 516.374.8400 x 308
Cell No. 516.967.3242
Fax No. 516.374.2600
E-Mail: ufogel@aol.com

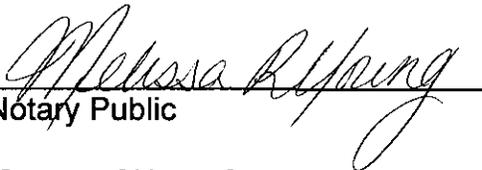
VERIFICATION

STATE OF New York)
COUNTY OF Chautauque) ss:

Wayne Stoughton, being first duly sworn, deposes and says that he is the Vice President of IDT Energy, Inc.; that he has read the foregoing Application of IDT 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.


Wayne Stoughton, VP

Subscribed and sworn to before me
this 16th day of March, [year]. 2012


Notary Public

[Stamp of Notary]

MELISSA R. YOUNG
No. 01Y0602336
Notary Public, State of New York
Qualified in Chautauque County
My Commission Expires May 19, 2015