

CHIEF CLERK



STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

[Name of Applicant] : Power2Switch Inc
Application for Licensure of : Docket No. 12-0166
Agents, Brokers, and Consultants :
under Section 16-115C :
of the Public Utilities Act. :

APPLICATION

Power2Switch 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 [454.40, 454.50, 454.100]

1. Applicant's name and street address.

Power2Switch Inc
820 W Jackson Blvd, #700
Chicago, IL, 60607

2. Related Information:

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

3. Contact Persons for the following:

- a) issues related to processing this application and
- b) issues related to complaint resolution [454.130]

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ILLINOIS COMMERCE
COMMISSION

Seyi Fabode
820 W Jackson Blvd, #700
Chicago, IL, 60607

4. Description of Applicant's business. [454.40(c)(1)]

Power2Switch Inc manages a website that allows residential and small commercial electricity customers to comparison shop for electricity providers in Illinois.

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)]

Power2Switch Inc. is applying for this application under the name Power2Switch Inc due to a conversion from an LLC to a C Corp. Power2Switch LLC was granted a license (attached in this application) and requested to change the name on the application. This application is being submitted as an amendment to Docket Num 12-0166 which was sent to the ICC as application to change name of license holder from Power2Switch LLC to Power2Switch Inc.

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)]

Seyi Fabode

820 W Jackson Blvd, #700

Chicago, IL, 60607

Number: 847.868.0247

Fax: 773.681.7478

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.

Power2Switch Inc is currently licensed as an agent, broker consultant in Ohio (attached)

8. Applicant certifies that it:
- a) **Power2Switch Inc is licensed to do business and is in compliance with other applicable laws, regulations and commission rules and orders. Find attached.**
 - b) **Power2Switch Inc. certifies that it shall comply with all terms and conditions required by Section 16-115C of the Act; [454.40(d)(2)]**
 - c) **Power2Switch Inc. certifies that it 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) **Power2Switch Inc shall remain in compliance with the provisions of the Act and Part 454; [454.50]**
 - e) **Power2Switch Inc 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) **Power2Switch 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 4 (Resume of Management) . Attachment 5 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 4 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): **Seyi Fabode (CEO) worked for a power generation plant for 5 years and with an energy brokerage firm for a year**

TECHNICAL LICENSING QUALIFICATIONS [Section 454.70]

10. Applicant meets the technical qualifications set forth in Part 454.70, as demonstrated in Attachment 4. Attachment 4 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). **Jake Lumetta has over 5 years experience in developing web portals with optimal user experience and data protection systems to ensure Power2Switch Inc is compliant with all terms and conditions**

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. **Attached**

[Department of the Treasury's Listing of Approved Sureties (Department Circular 570) (<http://www.fms.treas.gov/c570/c570.html>)]

CODE OF CONDUCT [SECTION 454.90]

12. Applicant certifies that it shall:

- a) **Power2Switch Inc. on the website and in all materials will disclose in plain language in writing the nature of the services offered by the ABC;**
- b) **Power2Switch Inc, prior to the customer signing a contract, discloses that we are not employed by the electric utility operating in the applicable service territory;**
- c) **Power2Switch Inc. on the website and in all materials will disclose in plain language in writing to all persons it solicits the total price per kilowatt-hour, and the total anticipated cost, inclusive of all fees or commissions received by the licensee, to be paid by the customer over the period of the proposed underlying customer contract. In the event a person or entity required to be licensed pursuant to this Part uses an electric supply usage estimate for a particular customer, the person or entity required to be licensed pursuant to this Part must use the same electric supply usage estimate for all service offers it presents to that particular customer;**
- d) **Power2Switch Inc provides any disclosure required by subsection (c) made prior to entering into the contract and signed by the customer;**
- e) **Power2Switch Inc discloses to all customers, prior to the customer signing a contract the fact that we receive compensation from the supplier;**
- f) **Power2Switch Inc does not hold itself out as independent or unaffiliated with any RES, or both, neither do we use words calculated to give that impression, unless the person or entity offering service under Section 16-115C of the Act has no contractual relationship with any RES or its affiliates regarding retail electric service in Illinois;**
- g) **Power2Switch Inc does not utilize false, misleading, materially inaccurate, defamatory or otherwise deceptive language or materials in the soliciting or providing of its services;**
- h) **Power2Switch Inc maintains copies of all marketing materials disseminated to third parties for a period of not less than three years;**
- i) **Power2Switch Inc. maintains copies of all disclosure statements required in subsections (a) and (b) for a period of not less than three years;**
- j) **Power2Switch Inc. does not present electricity pricing information in a manner that favors one supplier over another, all valid pricing comparison is made utilizing all relevant costs and terms; and**

- k) **Power2Switch Inc. complies 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. **Power2Switch Inc. agrees to submit reports in accordance with annual reporting requirements. [454.110]**

Form for ABC Applicants

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,

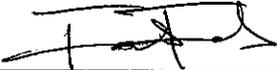
Power2Switch Inc.

By: 
Seyi Fabode

Name of Attorney
Attorney's Firm or Company Name
Address of Attorney
Attorney's Telephone Number
Attorney's Fax and E-mail (optional)

Verification

I, Oluseyi Fabode, first being duly sworn upon oath depose that I have read the above and foregoing Motions by me subscribed and know the contents thereof; that said contents are true in substance and in fact, except as to those matters stated upon information and belief, and as to those, I believe the same to be true.



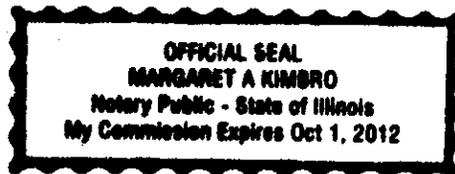
Oluseyi Fabode, CEO Power2Switch, Inc

Subscribed and sworn to before me this

10 day of April, 2012



Notary Public



Apply stamp here