

Docket number 12-0237

2012 APR 27 A 10: 56

ORIGINAL

Topco Associates LLC

CHIEF CLERK'S OFFICE

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

SERVED ELECTRONICALLY

NOTICE OF TOPSOURCE RESPOSNE TO ADMINISTRATIVE LAW JUDGE'S
RULING

Dear Sir/Madam:

TopSource LLC has completed a review of the notice of administrative law judge's ruling dated April 20, 2012 on the application filed by TopSource LLC ("Applicant") on March 28, 2012. Applicant herein responds to the administrative law judge's ruling below in order of the issues presented. Applicant's representative's original signature is located on page 3.

General Requirements

- 1) Paragraph 7 of the application form directs an applicant to identify other jurisdictions where it possesses similar authority to provide ABC services. Paragraph 7 also directs an applicant 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. Applicant references North Carolina in response to Paragraph 2 but only identifies Pennsylvania in response to Paragraph 7. Please address this discrepancy and identify any other states where Applicant offers services similar to that at issue in this proceeding. Applicant also fails to disclose whether it has had any complaints filed against it. Please identify any such complaints and include the nature of the complaint, the jurisdiction, and the ultimate resolution.

Applicant Response:

Applicant has not had any complaints filed against it for its provision of any services in the electric or gas industry in this or any other jurisdiction. Applicant references the business entity TopSource1 in North Carolina in response to Paragraph 2, but does not use this entity for its provision of any services in the electric or gas industry. Applicant is a licensed broker in the state of Pennsylvania and Maryland currently.

- 2) Section 454.90 of 83 Ill. Adm. Code 454, "Licensure of Retail Electric Agents, Brokers, and Consultants" ("Part 454"), sets forth a code of conduct applicable to any person or entity required to be licensed pursuant to Part 454. Amendments to Section 454.90 became effective on November 1, 2011. Applicant appears to rely on the earlier version of Section 454.90. Applicant must commit to comply with the code of conduct set forth in the currently effective Section 454.90 if it wishes to receive the license it requests.

Applicant Response:

Applicant has reviewed and commits to comply with the code of conduct set forth in the currently effective Section 454.90.

Managerial Requirements

- 3) Section 454.60 of Part 454 requires Applicant to demonstrate that it has had at least one year of management experience with a business enterprise and to provide occupational background information for the person(s) with that experience. Attachment A to the application contains background information on an individual that Applicant intends to use to satisfy the requirements of Section 454.60. That information, however, does not include enough details on the individual's managerial experience. Please provide the following information:
- a) For the individual that Applicant intends to use to satisfy the requirements of Section 454.60, Applicant should list each company/business, which employed the individual, and identify the duration of employment by "month/year" to "month/year."
 - b) For the individual that Applicant intends to use to satisfy the requirements of Section 454.60 at each company/business, identify the individual's specific job duties.

Applicant Response:

Please see the attached resume of Jim Titus (Attachment A) for information regarding the relevant managerial experience of Jim Titus. Please refer specifically to the experience during 2009 to the present at TopSource LLC. Jim Titus is a Senior Sourcing Manager with TopSource LLC. TopSource LLC is a sourcing and procurement organization that has obtained electricity brokerage licenses in Pennsylvania and Maryland under the supervision of Jim Titus.

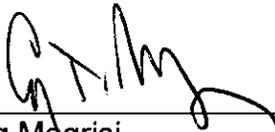
Technical Requirements

- 4) Section 454.70 of Part 454 requires Applicant to demonstrate that it has experience in the electric industry of at least one year and to provide occupational background information for the person(s) with that experience. Attachment B to the application indicates that Applicant intends to use the individual listed in Attachment A to satisfy the requirements of Section 454.70. The information contained in Attachment A, however, does not include enough details on that individual's technical experience. Please provide the following information:
- a) For the individual that Applicant intends to use to satisfy the requirements of Section 454.70, Applicant should list each company/business, which employed the individual, and identify the duration of employment by "month/year" to "month/year."
 - b) For the individual that Applicant intends to use to satisfy the requirements of Section 454.70 at each company/business, identify the individual's specific job duties.

Applicant Response:

Please see the attached resume of Jim Titus (Attachment A) for information regarding the relevant technical experience of Jim Titus. Please refer specifically to the experience during 2009 to the present at TopSource LLC.

Topsource has completed sourcing engagements on behalf of its member owners in Massachusetts, Connecticut and Texas in the role of an energy consultant during 2011 and 2012. Topsource, under the guidance of Mr. Titus, has aggregated and sourced a total of 61 unique member accounts totaling 182,000 MWh of annual usage on behalf of its members in the role of a consultant. It has evaluated the use of both fixed rate and hedged products for its members.

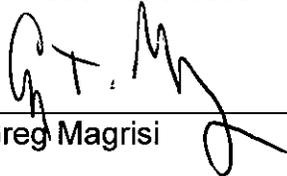


Greg Magrisi
Vice President, and Officer
TopSource LLC

VERIFICATION

STATE OF ILLINOIS
COUNTY OF COOK

Greg Magrisi, being first duly sworn, deposes and says that he is an officer of Topco Associates LLC and that he has read the foregoing Application of Topco Associates LLC, Administrative Law Judge ruling and response, 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.

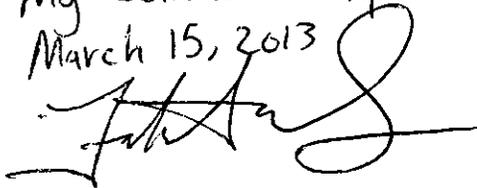


Greg Magrisi

Subscribed and sworn to before me
this 23rd day of April, 2012.

Notary: Fortunato Mendes

My Commission expires
March 15, 2013



CERTIFICATE OF SERVICE

I, Greg Magrisi, hereby certify that on April 23, 2012 I
[name] [date]

served copies of: Application for Licensure of Agents, Brokers and Consultants under Section 16-115C of the Public Utilities Act – Response to Administrative Law Judge’s Ruling

on the following parties by way of: email and overnight mail

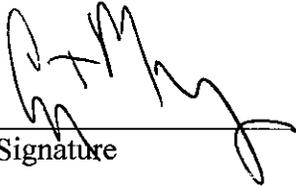
Parties Served:

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4/23/12
Date


Signature