

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

Better Cost Control, LLC

:

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

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Docket No. 12-0366

APPLICATION AMENDMENT

Better Cost Control, LLC ("Applicant"), hereby amends its application in response to the requests from Elizabeth A. Rolando, Chief Clerk.

**COMMENT 1: The Code of Conduct in the original application was based on a previous version of the ABC application. Applicant commits to comply with the Code of Conduct Section 454.90, as amended.**

CODE OF CONDUCT [SECTION 454.90]

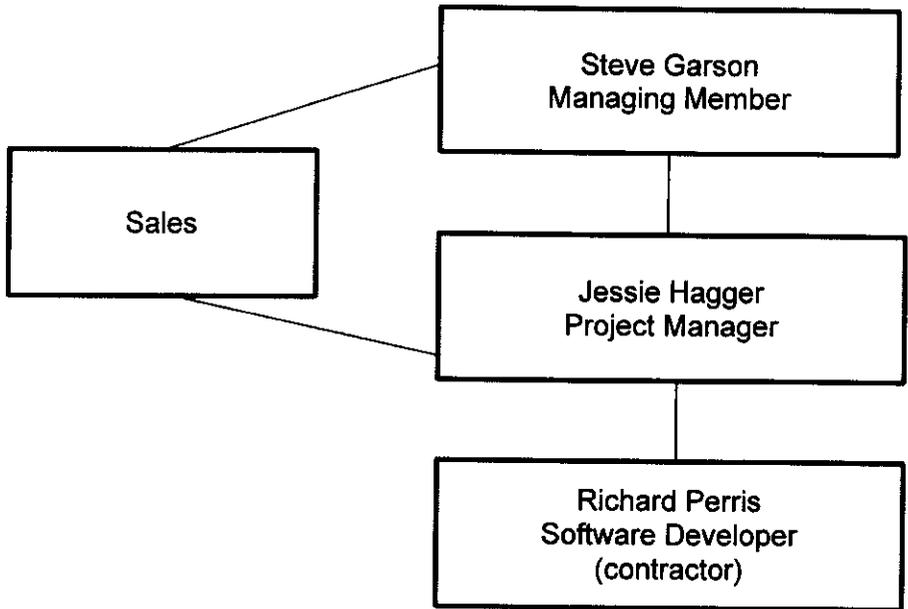
12. Applicant certifies that it shall:

- a) Disclose in plain language in writing the nature of the services offered by the ABC;
- b) Prior to the customer signing a contract, disclose that they are not employed by the electric utility operating in the applicable service territory;
- c) 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) Any disclosure required by subsection (c) must be made prior to entering into the contract and signed by the customer;
- e) Disclose if applicable, to all customers, prior to the customer signing a contract the fact that they will be receiving compensation from the supplier;
- f) 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 Section 16-115C of the Act has no contractual relationship with any RES or its affiliates regarding retail electric service in Illinois;

- g) Not utilize false, misleading, materially inaccurate, defamatory or otherwise deceptive language or materials in the soliciting or providing of its services;
- h) Maintain copies of all marketing materials disseminated to third parties for a period of not less than three years;
- i) Maintain copies of all disclosure statements required in subsections (a) and (b) for a period of not less than three years;
- j) 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
- k) 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].

**COMMENT 2: The Organizational Chart of the Applicant identifying the persons who are being used to meet the requirements of Part 454.60(a) is as follows:**



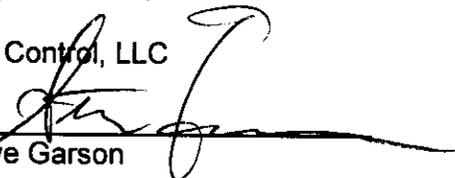
Steve Garson has been a licensed electricity and natural gas broker since 2002, with initial licensing in the state of Massachusetts. He also has been trained and certified by the Association of Energy Engineers with a certificate in Energy Procurement and Hedging.

**COMMENT 3: The language on the Surety Bond from Western Surety Company shall be revised per the sample ABC permit bond on the Commission's web site. The revised language is attached with a replacement bond from Washington International Insurance Company, using the specified language.**

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,

Better Cost Control, LLC

By:   
Steve Garson

Managing Member

Jeff Fraser  
Fraser and Galanopoulos  
2276 Washington St  
Newton, MA 02462  
Tel: 617-795-0321

**WASHINGTON INTERNATIONAL  
INSURANCE COMPANY**

475 NORTH MARTINGALE ROAD, S#850  
SCHAUMBURG, IL 60173

**PERMIT BOND**

**BOND NUMBER: 9144906**

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, *Better Cost Control, LLC, 2274 Washington Street, Newton, MA 02462* as Principal, and WASHINGTON INTERNATIONAL INSURANCE COMPANY, a corporation duly incorporated under the laws of the State of New Hampshire, and authorized to do business in the State of Illinois, as Surety, are held and firmly bound unto *The People of the State of Illinois* in the penal sum of *Five Thousand and no/100th (\$5,000.00)* Dollars, for the payment of which we hereby bind ourselves, or heirs, executors and administrators, jointly and severally by these presents.

THE CONDITIONS OF THIS BOND ARE SUCH, that the said Principal has applied for a license or is about to be granted a license or permit to do business to operate as *Retail Electric ABC (Agent, Broker or Consultant) under 220 ILCS 5/16-115C and is required to execute this bond under 83 Illinois Administrative Code Part 454.80* by the Obligee in accordance with the requirements of the ordinance of said *Retail Electric ABC* and has agreed to hold said *Retail Electric ABC* harmless from any damage by reason of his/her engaging in said business.

NOW, THEREFORE, if said Principal shall faithfully perform all the duties of *Retail Electric ABC* according to the requirements of the ordinance of said *Retail Electric ABC* and protect said *Retail Electric ABC* from any damage as hereinbefore stated, then this obligation shall be null and void; otherwise to remain in full force and effect.

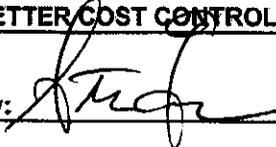
This bond may be terminated as to future acts of the Principal upon thirty (30) days written notice by the Surety; said notice to be sent to *527 East Capitol Avenue, Springfield, Illinois 62701* of the aforesaid.

This bond becomes effective on *February 7, 2012*, for a period ending on *February 7, 2013*.

DATED: June 7, 2012

BETTER COST CONTROL, LLC

Principal

By: 

MANAGING MEMBER

Title

WASHINGTON INTERNATIONAL INSURANCE  
COMPANY

By: 

Marcia W. Thompson, Attorney-in-Fact

NAS SURETY GROUP

NORTH AMERICAN SPECIALTY INSURANCE COMPANY  
WASHINGTON INTERNATIONAL INSURANCE COMPANY

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, THAT North American Specialty Insurance Company, a corporation duly organized and existing under laws of the State of New Hampshire, and having its principal office in the City of Manchester, New Hampshire, and Washington International Insurance Company, a corporation organized and existing under the laws of the State of New Hampshire and having its principal office in the City of Schaumburg, Illinois, each does hereby make, constitute and appoint:

JEROME S. McCUE and MARCIA W. THOMPSON

JOINTLY OR SEVERALLY

Its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver, for and on its behalf and as its act and deed, bonds or other writings obligatory in the nature of a bond on behalf of each of said Companies, as surety, on contracts of suretyship as are or may be required or permitted by law, regulation, contract or otherwise, provided that no bond or undertaking or contract or suretyship executed under this authority shall exceed the amount of:

FIFTY MILLION (\$50,000,000.00) DOLLARS

This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Boards of Directors of both North American Specialty Insurance Company and Washington International Insurance Company at meetings duly called and held on the 24<sup>th</sup> of March, 2000:

"RESOLVED, that any two of the Presidents, any Managing Director, any Senior Vice President, any Vice President, any Assistant Vice President, the Secretary or any Assistant Secretary be, and each or any of them hereby is authorized to execute a Power of Attorney qualifying the attorney named in the given Power of Attorney to execute on behalf of the Company bonds, undertakings and all contracts of surety, and that each or any of them hereby is authorized to attest to the execution of any such Power of Attorney and to attach therein the seal of the Company; and it is

FURTHER RESOLVED, that the signature of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be binding upon the Company when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached."



By [Signature]  
Steven P. Anderson, President & Chief Executive Officer of Washington International Insurance Company  
& Senior Vice President of North American Specialty Insurance Company



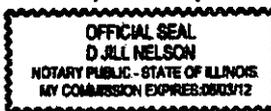
By [Signature]  
David M. Layman, Senior Vice President of Washington International Insurance Company  
& Vice President of North American Specialty Insurance Company

IN WITNESS WHEREOF, North American Specialty Insurance Company and Washington International Insurance Company have caused their official seals to be hereunto affixed, and these presents to be signed by their authorized officers this 15<sup>th</sup> day of September, 2011.

North American Specialty Insurance Company  
Washington International Insurance Company

State of Illinois  
County of Cook ss:

On this 15<sup>th</sup> day of September, 2011, before me, a Notary Public personally appeared Steven P. Anderson, President and CEO of Washington International Insurance Company and Senior Vice President of North American Specialty Insurance Company and David M. Layman, Senior Vice President of Washington International Insurance Company and Vice President of North American Specialty Insurance Company, personally known to me, who being by me duly sworn, acknowledged that they signed the above Power of Attorney as officers of and acknowledged said instrument to be the voluntary act and deed of their respective companies.



[Signature]  
D. Jill Nelson, Notary Public

I, James A. Carpenter, the duly elected Assistant Secretary of North American Specialty Insurance Company and Washington International Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney given by said North American Specialty Insurance Company and Washington International Insurance Company, which is still in full force and effect.

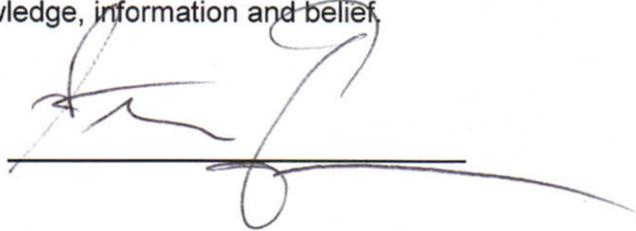
IN WITNESS WHEREOF, I have set my hand and affixed the seals of the Companies this 7<sup>th</sup> day of June, 2012.

[Signature]  
James A. Carpenter, Vice President & Assistant Secretary of Washington International Insurance Company & North American Specialty Insurance Company

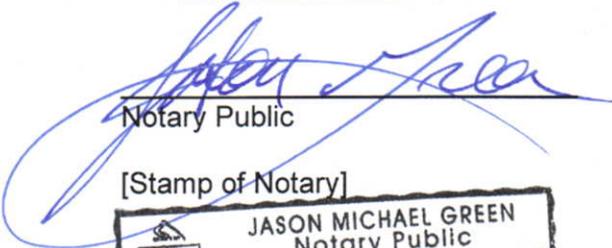
VERIFICATION

STATE OF MASSACHUSETTS)  
COUNTY OF MIDDLESEX)

Steve Garson, being first duly sworn, deposes and says that he is the Managing Member [of] Better Cost Control, LLC; that he/she has read the foregoing Application of Better Cost Control, LLC, 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.

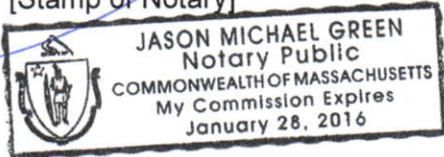


Subscribed and sworn to before me  
This 7<sup>th</sup> day of June, 2012.



Notary Public

[Stamp of Notary]



CERTIFICATE OF SERVICE

STATE OF MASSACHUSETTS)  
COUNTY OF MIDDLESEX)

Steve Garson, being first duly sworn, deposes and says that he has served a copy of this Application Amendment to the following parties:

AL Judge Albers, , Illinois Commerce Commission, 527 E. Capitol Ave.,  
Springfield, IL 62701

Phil Hardas, ALJ's Assistant, Illinois Commerce Commission, 527 E. Capitol Ave.,  
Springfield, IL 62701

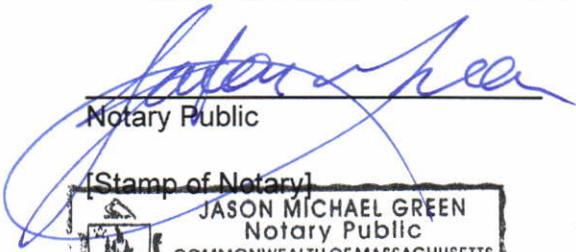
Greg Rockrohr, ALJ's Assistant, Illinois Commerce Commission, 527 E. Capitol Ave.,  
Springfield, IL 62701

Elizabeth A. Rolando, Chief Clerk, Illinois Commerce Commission, 527 E. Capitol Ave.,  
Springfield, IL 62701



Subscribed and sworn to before me

This 7th day of June, 2012.

  
Notary Public

[Stamp of Notary]

