

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION
NOTICE OF ADMINISTRATIVE LAW JUDGE'S RULING

ORIGINAL

June 19, 2012

Inertia Energy Advisors, LLC

12-0367

Application for Licensure of

Agents, Brokers and Consultants

SERVED ELECTRONICALLY

under Section 16-115C of

the Public Utilities Act.

Arthur C. Kalos

Atty. for Inertia Energy Advisors, LLC

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CHIEF CLERK'S OFFICE

2012 JUN 28 A 11:03

ILLINOIS COMMERCE
COMMISSION

Inertia Energy Advisors, LLC in response to this ruling has included (1) the docket number, case caption, and an original signature, (2) a verification page, and (3) a certificate of service indicating that the response was served on all those on the service list.

NOTICE OF ADMINISTRATIVE LAW JUDGE'S RULING

Dear Sir/Madam:

Notice is hereby given that the Administrative Law Judge has completed a review of the application filed by Inertia Energy Advisors, LLC ("Applicant") on May 29, 2012 and hereby rules that the information described below shall be filed with the Chief Clerk of the Illinois Commerce Commission on or before June 11, 2012. The response to this ruling must include (1) the docket number, case caption, and an original signature, (2) a verification page, and (3) a certificate of service indicating that the response was served on all those on the service list. The response to this ruling must be actually received by the date indicated, regardless of whether the response is filed with the Chief Clerk electronically or as hardcopy. Applicant shall also electronically serve a Word version of its response on the Administrative Law Judge (jalbers@icc.illinois.gov) by the date indicated.

General Requirements

1. Paragraph 6 of the application form calls for the name, address, telephone number, any facsimile number, and any e-mail address of the agent registered with the Illinois Secretary of State. Applicant provided the name and address of its registered agent, but not a telephone number, facsimile number, or e-mail address. Please provide the missing information to the extent that it exists. **Missing information was updated in the application.**

2. Paragraph 7 of the current on-line application form reads as:

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. **No complaints have been filed andf this was updated on the application.**

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The application does not reflect the current paragraph 7. Please provide information responsive to the currently effective paragraph 7 of the on-line application form. **Paragraph 7 was added to the application with a response.**

Managerial Requirements

3. Section 454.60(c) of 83 Ill. Adm. Code 454, "Licensure of Retail Electric Agents, Brokers, and Consultants," ("Part 454"), states, "[the] applicant shall include in its application an exhibit containing a corporate organizational chart and indicating the position of persons indicated in subsection (a) of [Section 454.60]." Applicant did not provide the required organizational chart. Please provide the required corporate organization chart in compliance with Section 454.60(c). **No organizational chart was provided as Pete Merkel is the only employee of Inertia Energy Advisors, LLC. This was updated in the application**

Technical Requirements

4. Section 454.70(a) of Part 454 indicates that Applicant shall be deemed to possess sufficient technical capabilities if Applicant can demonstrate that it has had experience in the electric industry of at least one year. Section 454.70(b) then requires Applicant to provide an exhibit containing occupational background information on the persons who are being used to satisfy the technical requirements. Paragraph 9 of the application claims that the Attachment A demonstrates that Applicant meets the technical requirements of Section 454.70. The occupational information that Applicant provides for Pete Merkel in Attachment A, however, simply states that Mr. Merkel has over one year of experience in the procurement of electricity and natural gas, nationwide. From the minimal information provided, it is not clear whether Mr. Merkel obtained his occupational experience with Applicant or some other company. Furthermore, Section 454.70(a) requires Applicant to demonstrate it has

experience in the electric industry of at least one year. Applicant's experience with natural gas does not demonstrate experience in the electric industry, and it is not clear from the language of Attachment A whether applicant is using that natural gas experience when claiming it meets the one-year requirement. Please provide additional occupational background information about Mr. Merkel's experience in the electric industry, including the name of the companies or entities where Mr. Merkel obtained his occupational experience, the specific duties he performed, and the duration of those duties. **Inertia Energy Advisors, LLC has been an agent for Accent Energy since June 2011 and this was updated on the application. Additionally, attachment B was added to cover experience, duties, and duration.**

Sincerely,

A handwritten signature in black ink, appearing to read 'HP Merkel', written over a light blue horizontal line.

Henry Pete Merkel

6-19-12

Certificate of Service

6-19-12

This document is a certificate of service indicating that Inertia Energy Advisors, LLC (docket # 12-0367) responded with all those on the service list related to the Application for Licensure of Agents, Brokers and Consultants under Section 16-115C of the Public Utilities Act.

Sincerely,

A handwritten signature in black ink, appearing to read 'H. P. Merkel', written in a cursive style.

Henry Pete Merkel