

AP GAS & ELECTRIC (IL), LLC - ARES APPLICATION

ATTACHMENT C

Applicant Certification/Affidavit

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

AP Gas & Electric (IL), LLC :
:
Application for Certificate of : Docket No.
Service Authority under Section :
16-115 of the Public Utilities Act. :

APPLICATION FOR CERTIFICATE OF SERVICE AUTHORITY
APPLICANT AFFIDAVIT

State of Texas §
County of Harris §

Kamran Virani, Affiant, being duly sworn according to law, deposes and says that:

He is the CEO of AP Gas & Electric (IL), LLC, the Applicant herein.

That he is authorized to and does make this affidavit for said Applicant:

GENERAL [451.20, 451.30, 451.210, and 451.310]

- That AP Gas & Electric (IL), LLC 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)]
- That AP Gas & Electric (IL), LLC will comply with informational and reporting requirements that the Commission may by rule establish; [451.20(b)]
- That AP Gas & Electric (IL), LLC will comply with all other applicable laws and regulations and Commission rules and orders; [451.20(e)]
- That AP Gas & Electric (IL), LLC will comply 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 will comply with all terms and conditions required by Section 16-115A(c) of the Act. [451.210 and 451.310(a)]
- That AP Gas & Electric (IL), LLC will comply and agrees to submit good faith schedules of transmission and energy in accordance with applicable tariffs; [451.20(a)]

- That AP Gas & Electric (IL), LLC 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)]
- That AP Gas & Electric (IL), LLC certifies that 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)]
- That AP Gas & Electric (IL), LLC certifies that it will source electricity from clean coal facilities, as required by Section 16-115(d)(5) of the Act; [451.20(g)]
- That AP Gas & Electric (IL), LLC 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)] AND
- That AP Gas & Electric (IL), LLC agrees to adopt and follow rules and procedures to preserve the confidentiality of its customer's data. [451.40(b)]

FINANCIAL QUALIFICATIONS FOR SINGLE BILLING SERVICE [451.510]

- That AP Gas & Electric (IL), LLC does not intend to provide single billing services.

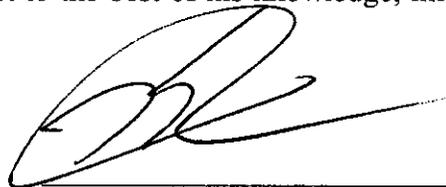
GENERAL PROVISIONS FOR APPLICANTS FILING UNDER SUBPART D [451.310]

- That AP Gas & Electric (IL), LLC has not been denied an electric supplier license in any state in the United States. [451.310(c)(1)]
- That AP Gas & Electric (IL), LLC has not had an electric supplier license suspended or revoked by any state in the United States. [451.310(c)(2)]
- That AP Gas & Electric (IL), LLC does not have 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)]
- That AP Gas & Electric (IL), LLC 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. [451.310(c)(4)]
- That AP Gas & Electric (IL), LLC 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)]
- That AP Gas & Electric (IL), LLC certifies that before any customer is switched from another supplier, Applicant 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)]

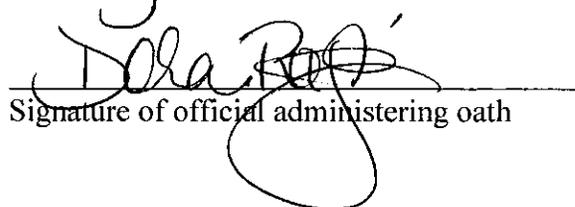
- That AP Gas & Electric (IL), LLC certifies it will provide documentation to the Commission and to customers that substantiates any claims made by the Applicant regarding the technologies and fuel types used to generate the electricity offered or sold to customers. [451.310(d)(3)]
- That AP Gas & Electric (IL), LLC 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)]
- That AP Gas & Electric (IL), LLC 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)]
- That AP Gas & Electric (IL), LLC 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)]
- That AP Gas & Electric (IL), LLC certifies it will maintain sufficient managerial resources and abilities to provide the service for which it has a certificate of authority. [451.340(d)]

That the facts above set forth are true and correct to the best of his knowledge, information and belief.



Kamran Virani, CEO

Sworn and subscribed before me this 23 day of July, 2012.



Signature of official administering oath