

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

Resolution Power LLC)
)
Application for Certificate of) Docket No. 12-0566
Service Authority under Section)
16-115 of the Public Utilities Act)

**RESPONSE OF RESOLUTION POWER LLC TO ADMINISTRATIVE LAW JUDGE'S
RULING**

Resolution Power LLC ("Resolution"), through its attorneys, Rowland & Moore LLP,
hereby responds to the Administrative Law Judge's Decision dated October 25, 2012.

1. Subsection 451.30(a) requires Applicant to publish notice of its application in the Official State Newspaper within 10 days following application filing, and to file proof of that publication with the Clerk of the Commission within 5 days after publication.

If the Applicant has not yet filed the proof of publication with the Clerk of the Commission, it shall file the proof of publication.

Response:

The proof of publication was filed on E-Docket on October 25, 2012.

2. Paragraph 15 of the application does not clearly state whether Applicant certifies that it will procure renewable energy resources as required by Section 16-115D and Section 16-115(d) of the Act, *or* that Section 16-115D and Section 15-115(d) do not apply to it pursuant to Section 16-115D(h).

Applicant shall certify which of the two alternatives applies to it.

Response:

Applicant certifies that it will procure renewable energy resources as required by Section 16-115D and Section 16-115(d) of the Act.

3. On its face the Permit Bond provided as Attachment D to the application indicates that it is a "Sample License or Permit Bond for ARES Applicants."

Applicant shall file a Permit Bond which does not indicate on its face that it is a Sample.

Response:

Attached to this response is Revised Attachment D, Permit Bond, that does not indicate on its face that it is a Sample.

4. Applicant shall indicate whether it has affiliates. If it has affiliates, Applicant shall indicate whether any of them provide retail electric or gas services and, if so whether any formal complaints have been filed against such affiliates for provision of these services. If formal complaints have been filed, the Applicant shall provide: the nature of the complaint, the jurisdiction and the ultimate resolution or current status of each the complaint.

Response:

Applicant has no affiliates.

5. Applicant shall indicate whether it intended for confidential treatment to be given to the organizational chart provided in Attachment I. If Applicant requests confidential treatment, Applicant shall file a motion requesting the treatment and asserting the reasons the chart should be afforded confidential treatment.

Response:

The “confidential” notation at the top of the organization chart provided in Attachment I was a mistake. Applicant does not consider its organization chart to be proprietary information and is not requesting that it be granted confidential treatment.

Dated October 31, 2012

Respectfully submitted,

Resolution Power LLC

By: s/ Stephen J. Moore
Stephen J. Moore
Counsel for Resolution Power LLC

Stephen J. Moore
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VERIFICATION

STATE OF ILLINOIS
COUNTY OF COOK

Stephen A. Allison, being first duly sworn, deposes and says that he is a duly authorized Principal and Manager of the Applicant; that he has read the foregoing Response of Resolution Power LLC to Administrative Law Judge's Ruling, and that the statements contained in the Response are true, correct and complete to the best of his knowledge, information and belief.



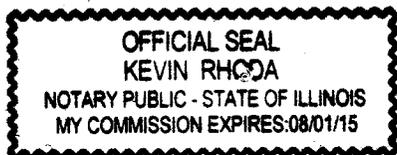
Stephen A. Allison, Principal and Manager
Resolution Power LLC

Subscribed and sworn to before me
this 31st day of October, 2012.



Notary Public

[Stamp of Notary]



REVISED ATTACHMENT D

\$150,000

Permit Bond

Revised Original

License or Permit Bond No 1011219
The Hanover Insurance Company
440 Lincoln Street, Worcester, MA 01653

KNOW ALL MEN BY THESE PRESENTS, That we, **Resolution Power, LLC** as Principal, and **The Hanover Insurance Company**, a **MA** Corporation, and authorized to do business in Illinois, as Surety, are held and firmly bound unto THE PEOPLE OF THE STATE OF ILLINOIS as Obligee, in the sum of ONE HUNDRED FIFTY THOUSAND AND NO/100 Dollars (\$150,000.00), for which sum, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, by these presents.

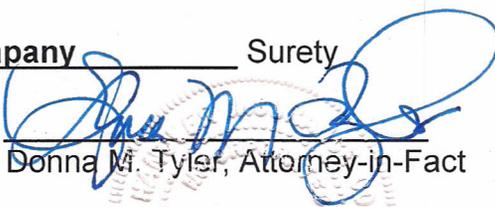
THE CONDITIONS OF THIS OBLIGATION ARE SUCH, That WHEREAS, the Principal has been or is about to be granted a license or permit to do business to operate as an ARES (Alternative Retail Electric Supplier) under 220 ILCS 5/16-115 and is required to execute this bond under 83 Illinois Administrative Code Part 451.50 by the Obligee.

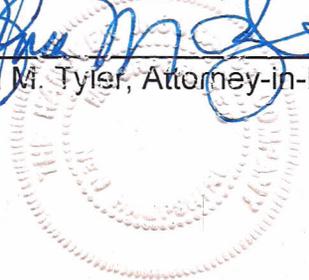
NOW, Therefore, if the Principal fully and faithfully perform all duties and obligations of the Principal as an ARES, then this obligation to be void; otherwise to remain in full force and effect.

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 State of Illinois, by certified mail.

Dated this 26th day of June, 2012.

Resolution Power, LLC _____ Principal
by: 
Stephen A. Allison, Principal

The Hanover Insurance Company _____ Surety
by: 
Donna M. Tyler, Attorney-in-Fact



THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

POWERS OF ATTORNEY
CERTIFIED COPY

KNOW ALL MEN BY THESE PRESENTS: That THE HANOVER INSURANCE COMPANY and MASSACHUSETTS BAY INSURANCE COMPANY, both being corporations organized and existing under the laws of the State of New Hampshire, and CITIZENS INSURANCE COMPANY OF AMERICA, a corporation organized and existing under the laws of the State of Michigan, do hereby constitute and appoint

Hina Azam, Donna M. Tyler, William Reidinger, Donna Wright, Karen E. Bogard and/or Joseph Halleran

of **Schaumburg, IL** and each is a true and lawful Attorney(s)-in-fact to sign, execute, seal, acknowledge and deliver for, and on its behalf, and as its act and deed any place within the United States, or, if the following line be filled in, only within the area therein designated any and all bonds, recognizances, undertakings, contracts of indemnity or other writings obligatory in the nature thereof, as follows:

Any such obligations in the United States, not to exceed Ten Million and No/100 (\$10,000,000) in any single instance

and said companies hereby ratify and confirm all and whatsoever said Attorney(s)-in-fact may lawfully do in the premises by virtue of these presents. These appointments are made under and by authority of the following Resolution passed by the Board of Directors of said Companies which resolutions are still in effect:

"RESOLVED, That the President or any Vice President, in conjunction with any Vice President, be and they are hereby authorized and empowered to appoint Attorneys-in-fact of the Company, in its name and as its acts, to execute and acknowledge for and on its behalf as Surety any and all bonds, recognizances, contracts of indemnity, waivers of citation and all other writings obligatory in the nature thereof, with power to attach thereto the seal of the Company. Any such writings so executed by such Attorneys-in-fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company in their own proper persons." (Adopted October 7, 1981 - The Hanover Insurance Company; Adopted April 14, 1982 - Massachusetts Bay Insurance Company; Adopted September 7, 2001 - Citizens Insurance Company of America)

IN WITNESS WHEREOF, THE HANOVER INSURANCE COMPANY, MASSACHUSETTS BAY INSURANCE COMPANY and CITIZENS INSURANCE COMPANY OF AMERICA have caused these presents to be sealed with their respective corporate seals, duly attested by two Vice Presidents, this **30th** day of **September 2011**.

THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

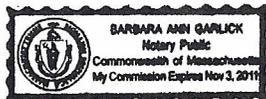


Robert Thomas
Robert Thomas, Vice President

Mark Fitzgerald
Mark Fitzgerald, Vice President

THE COMMONWEALTH OF MASSACHUSETTS)
COUNTY OF WORCESTER) ss.

On this **30th** day of **September 2011**, before me came the above named Vice Presidents of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, to me personally known to be the individuals and officers described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, respectively, and that the said corporate seals and their signatures as officers were duly affixed and subscribed to said instrument by the authority and direction of said Corporations.



Barbara A. Garlick
Barbara A. Garlick, Notary Public
My Commission Expires November 3, 2011

I, the undersigned Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, hereby certify that the above and foregoing is a full, true and correct copy of the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Powers of Attorney are still in force and effect.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America.

"RESOLVED, That any and all Powers of Attorney and Certified Copies of such Powers of Attorney and certification in respect thereto, granted and executed by the President or any Vice President in conjunction with any Vice President of the Company, shall be binding on the Company to the same extent as if all signatures therein were manually affixed, even though one or more of any such signatures thereon may be facsimile." (Adopted October 7, 1981 - The Hanover Insurance Company; Adopted April 14, 1982 - Massachusetts Bay Insurance Company; Adopted September 7, 2001 - Citizens Insurance Company of America)

GIVEN under my hand and the seals of said Companies, at Worcester, Massachusetts, this **26th** day of **June 12**

THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

Glenn Margosian
Glenn Margosian, Vice President

CERTIFICATE OF SERVICE

I, Stephen J. Moore, do hereby certify that I have, on this 31st day of October 2012, caused to be served upon the individuals listed on the service list maintained by the Illinois Commerce Commission, by e-mail and/or U.S. Mail, a copy of the attached Response of Resolution Power LLC to Administrative Law Judge's Ruling.

s/ Stephen J. Moore _____
Stephen J. Moore
Rowland & Moore LLP
Counsel for Resolution Power LLC