

**OFFICIAL FILE**

**ILLINOIS COMMERCE COMMISSION**

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

**ORIGINAL**  
ILLINOIS COMMERCE  
COMMISSION

2012 NOV 28 A 10:39

CHIEF CLERK'S OFFICE

Facility Solutions Group, Inc.

:

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

:  
:  
:  
:  
:

Docket No.

12-0640

APPLICATION

Facility Solutions Group, Inc. ("Applicant"), hereby requests that the Illinois Commerce Commission ("Commission") grant it a license pursuant to Section 16-115C of the Public Utilities Act ("Act"). In support of its application, Applicant states as follows:

GENERAL [454.40, 454.50, 454.100]

1. Applicant's name and street address.

Facility Solutions Group, Inc.  
6435 Vista Drive  
Shawnee, KS 66218

2. Related Information:

- Type of business entity: corporation
- Jurisdiction in which and under whose laws business entity was created: Delaware
- Other names under which Applicant does business (D/B/A): None

3. Contact Persons for the following:

- a) issues related to processing this application [454.130]

Sean Franke  
Procurement Manager  
6435 Vista Drive  
Shawnee, KS 66218  
913-422-8400  
Sean.franke@fsgi.com

- b) issues related to complaint resolution [454.130]

Sean Franke  
Procurement Manager  
6435 Vista Drive  
Shawnee, KS 66218  
913-422-8400  
[Sean.franke@fsgi.com](mailto:Sean.franke@fsgi.com)

4. Description of Applicant's business. [454.40(c)(1)]

Facility Solutions Group, Inc. is a national electric contractor, lighting, and sign company with 18 branches in the US. Facility Solutions Group, Inc. intends to utilize our dedicated and in house sales team to call on existing clients and offer energy consulting and retail electric procurement services.

5. A statement in support of application (including supporting documents and schedules if necessary) certifying the applicant meets the requirements of Section 16-115C of the Act. [454.40(d)(1)]

Facility Solutions Group, Inc. will market our services to existing customers and fully intends to disclose our roll as a broker and act in an ethical manner as stated in Section 16-115C of the Act.

6. The name, address, telephone number, any facsimile number and any e-mail address of the agent registered with the Illinois Secretary of State. This information shall be kept current and any change regarding the licensee shall be reported within 15 days after the change occurs. The required information shall be filed with the Chief Clerk of the Commission at its Springfield office. [454.40(c)(3)]

CT Corporate Systems  
208 South LaSalle Street  
Suite 814  
Chicago, IL 60604  
312-263-1414

7. A statement to disclose whether the Applicant operates as an agent, broker, or consultant in any other jurisdictions in a manner similar to that contemplated under Section 16-115C of the Act. Additionally, regardless of whether Applicant operates as an agent, broker, or consultant in Illinois or any other jurisdiction, 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 any such complaints exist, the Applicant is directed to include in its response the nature of the complaint, the jurisdiction, and the ultimate resolution.

Facility Solutions Group, Inc. is acting as an agent, broker, and consultant in the states of Texas and California. In addition to this application with the State of Illinois, Facility Solutions Group, Inc. is completing applications for the state of Pennsylvania and Ohio.

There are no complaints in any jurisdiction against Facility Solutions Group, Inc. in relation to any services in the electric or gas industry.

8. Applicant certifies that it:

- a) is licensed to do business in the State of Illinois and is in compliance with all other applicable laws, regulations and Commission rules and orders; [454.40(c)(2)]

Attachment A of this application is the Facility Solutions Group, Inc.

- b) shall comply with all terms and conditions required by Section 16-115C of the Act; [454.40(d)(2)]

Facility Solutions Group, Inc. will market our services to existing customers and fully intends to disclose our roll as a broker and act in an ethical manner as stated in Section 16-115C of the Act.

- c) shall ensure any person who acts on behalf of the entity will comply with all sections of Part 454 applicable to the function or functions to be performed; [454.40(d)(3)]

Facility Solutions Group, Inc. will utilize our dedicated and in house sales team to market our services to existing customers and fully intends to disclose our roll as a broker and act in an ethical manner as stated in Section 16-115C of the Act.

- d) shall remain in compliance with the provisions of the Act and Part 454; [454.50]

Facility Solutions Group, Inc. will remain compliant with Act and Part 454.

- e) shall ensure that authorizations received from customers, and all other applicable records are retained for a period of not less than three calendar years after the calendar year in which they were created; and [454.100(a)]

Facility Solutions Group, Inc. will maintain records for a term of three years from the created date.

- f) shall preserve the confidentiality of its customers' data. [454.100(b)]

Facility Solutions Group, Inc. will maintain confidential information for all of our customers.

MANAGERIAL LICENSING QUALIFICATIONS [Section 454.60]

9. Applicant meets the managerial qualifications set forth in Part 454.60, as demonstrated in Attachment B. Attachment C includes an exhibit containing a corporate organizational chart and identifying the persons who are being used to meet the requirements of Part 454.60(a). Attachment B includes an exhibit containing occupational background information on the person or persons who are being used to meet the requirements of Part 454.60(a).

TECHNICAL LICENSING QUALIFICATIONS [Section 454.70]

10. Applicant meets the technical qualifications set forth in Part 454.70, as demonstrated in Attachment B. Attachment B includes an exhibit containing occupational background information on the person or persons who are being used to meet the requirements of Part 454.70(a).

FINANCIAL LICENSING REQUIREMENTS [SECTION 454.80]

11. Applicant is required to execute and maintain a license or permit bond in the name of the People of the State of Illinois issued by a qualifying surety or insurance company authorized to transact business in the State of Illinois. The amount of the bond shall equal \$5,000.

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;

Facility Solutions Group, Inc. is a national electric contractor, lighting, and sign company with 18 branches in the US. Facility Solutions Group, Inc. intends to utilize our dedicated and in house sales team to call on existing clients and offer energy consulting and retail electric procurement services.

- b) Prior to the customer signing a contract, disclose that they are not employed by the electric utility operating in the applicable service territory;

Facility Solutions Group, Inc. will utilize our dedicated and in house sales team to market our services to existing customers and fully intends to disclose our roll as a broker and act in an ethical manner as stated in Section 16-115C of the Act.

- 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;

Facility Solutions Group, Inc. will be marketing our services to existing customers and relationships. We will fully disclose our calculations include usage estimations from an electric supplier.

- d) Any disclosure required by subsection (c) must be made prior to entering into the contract and signed by the customer;

Facility Solutions Group, Inc. will make all disclosures prior to contract execution.

- 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;

Facility Solutions Group, Inc. will disclose a broker relationship to our customers prior to contract execution.

- 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;

Facility Solutions Group, Inc. will disclose a broker relationship to our customer prior to contract execution.

- g) Not utilize false, misleading, materially inaccurate, defamatory or otherwise deceptive language or materials in the soliciting or providing of its services;

Facility Solutions Group, Inc. will be marketing our services to existing customers and relationships. We will follow a truthful and accurate approach in all sales activities.

- h) Maintain copies of all marketing materials disseminated to third parties for a period of not less than three years;

Facility Solutions Group, Inc. will maintain copies of marketing materials for a period of three years.

- i) Maintain copies of all disclosure statements required in subsections (a) and (b) for a period of not less than three years;

Facility Solutions Group, Inc. will maintain copies of disclosure statements for a period of 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

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].

Facility Solutions Group, Inc. will be marketing our services to existing customers and relationships. We will fully disclose our calculations include valid pricing without favoring a particular supplier.

REPORTING REQUIREMENTS [SECTION 454.110]

13. Applicant agrees to submit reports in accordance with annual reporting requirements. [454.110]

Facility Solutions Group, Inc. will comply with annual reporting requirements.

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,

A handwritten signature in black ink, appearing to read "Jim Frank", written over a horizontal line.

Jim Frank

By: Division Manager

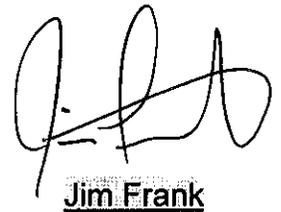
Todd Ruskamp  
Shook, Hardy & Bacon LLP  
2555 Grand Blvd  
Kansas City, MO 64108  
816-474-6550  
truskamp@shb.com

VERIFICATION

STATE OF Kansas

COUNTY OF Johnson

Jim Frank, being first duly sworn, deposes and says that he is the District Manager for Facility Solutions Group, Inc.; that he has read the foregoing Application of Facility Solutions Group, Inc., 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.



Jim Frank

To be completed by a Notary Public

---

Subscribed and sworn to before me

this 21<sup>st</sup> day of November, 2012



---

Notary Public

[Stamp of Notary]

