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CHIEF CLERK'S OFFICE

Planet Energy (Illinois) Corp. :  
:  
Application for Certificate of :  
Service Authority under Section :  
16-115 of the Public Utilities Act. :

Docket No. 13-0617

APPLICATION

Planet Energy (Illinois) Corp. ("Applicant"), hereby requests that the Illinois Commerce Commission ("Commission") grant it a certificate of service authority pursuant to Section 16-115 of the Public Utilities Act ("Act"). Planet Energy (Illinois) Corp. is filing under subpart D of Part 451. In support of its application, Applicant states as follows:

REQUIREMENTS FOR ALL APPLICANTS [451.20]

1. Planet Energy (Illinois) Corp. does not currently have authority from the Commissions to be an ARES.
2. Planet Energy (Illinois) Corp. and its subsidiaries are currently licensed as an alternative retail electric supplier in the states of New York, Pennsylvania, Maryland, and the province of Ontario. The Applicant's affiliate has had a formal complaint filed against it for its provision of services in the electric and gas industry in another other jurisdiction. Detailed information is provided in Attachment A.
3. Applicant certifies that it 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)]
4. Applicant agrees to submit good faith schedules of transmission and energy in accordance with applicable tariffs. [451.20(a)]
5. Applicant certifies that it will comply with informational and reporting requirements that the Commission may by rule establish; [451.20(b)]

6. Applicant 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)]
7. Applicant's name and street address: Planet Energy (Illinois) Corp., 1500-5255 Yonge Street, Toronto, ON M2N 6P4. [451.20(c)(1)]
  - a) Federal Employer Identification Number: 80-0908 187 [451.20(c)(2)]
  - b) Type of business entity: Corporation
  - c) Jurisdiction in which and under whose laws business entity was created:  
Delaware
  - d) Other names under which Applicant does business (D/B/A): Planet Energy USA Corp., Planet Energy (Maryland) Corp., Planet Energy (New York) Corp., Planet Energy (Pennsylvania) Corp., Planet Energy (New Jersey) Corp., Planet Energy (Ohio) Corp., Planet Energy (Ontario) Corp., Planet Energy (Alberta) Corp., Planet Energy (B.C.) Corp., Planet Energy (Manitoba) Corp., Energie Planete Inc.
  - e) Registered Agent in Illinois:  
Counsel: Jonathan Strum  
Law Offices of Jonathan D. Strum  
5638 Utah Avenue, NW  
Washington DC, 20015  
Phone: 202-362-9027  
Fax: 202-362-9037
8. The Applicant shall demonstrate that:
  - a) Applicant is licensed to do business in the State of Illinois, as demonstrated in Attachment B. [451.20(d)(1)]
  - b) Planet Energy (Illinois) Corp. will not be installing, operating, and maintaining generation, transmission, or distribution facilities within the State of Illinois. [451.20(d)(2)]
9. Applicant certifies that it is in compliance with all other applicable laws and regulations and Commission rules and orders; [451.20(e)]

10. Applicant certifies that it will procure renewable energy resources as required by Section 16-115D and subsection (d) of Section 16-115 of the Act, [451.20(f)].
11. Applicant shall certify that it will source electricity from clean coal facilities, as required by Section 16-115(d)(5) of the Act. [451.20(g)]

**REQUIRED FILINGS AND PROCEDURES [451.30]**

12. Applicant will publish notice of its application for certification in the Official State Newspaper within 10 days following its filing of the application for certification. The applicant will file proof of publication with the Clerk of the Commission within 5 days after publication. [451.30(a)]
13. Applications for certification shall be verified as required by Section 200.130 of the Commission's "Rules of Practice" (83 Ill. Adm. Code 200.130)
14. Geographic area in which Applicant seeks to be authorized to offer service and the types of services it intends to offer. [451.30(c)]
  - a) Planet Energy (Illinois) Corp. is a competitive electricity and natural gas retailer who sells electric power and natural gas to end-use customers. Planet Energy (Illinois) Corp. intends to offer its services in all of the service areas of the state of Illinois. [451.30(c)(1)]
  - b) Planet Energy (Illinois) Corp. intends to serve residential and small commercial customers in the state of Illinois. [451.30(c)(2)]
  - c) Proof that applicant notified the designated in-state agent for each affected utility that Applicant intends to serve customers in that utility's service area, as demonstrated in Attachment C. [451.30(c)(3)]
15. The applicant shall certify compliance 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)]

16. Applicant Contact Information:

Issues related to processing this application:

Name: Darryl Parent

Title: SVP, Energy Operations

Address: 1500-5255 Yonge Street, Toronto, ON M2N 6P4

Phone: 416-250-7117 x3028

Fax: 416-250-0220

Email: dparent@planetenergy.ca

Issues related to retail customers:

Name: Jordan Small

Title: Director, Regulatory Affairs and Compliance

Address: 1500-5255 Yonge Street, Toronto, ON M2N 6P4

Phone: 416-250-7117 x3151

Fax: 416-250-0220

Email: jsmall@planetenergy.ca

Technical issues:

Name: Gabe Peressutti

Title: Director, Procurement

Address: 1500-5255 Yonge Street, Toronto, ON M2N 6P4

Phone: 416-250-7117 x2869

Fax: 416-250-0220

Email: gperessutti@planetenergy.ca

17. Applicant agrees to accept service by electronic means. [451.30(e)]

CUSTOMER RECORDS AND INFORMATION [451.40]

18. Applicant 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)]

19. Applicant agrees to adopt and follow rules and procedures to preserve the confidentiality of its customer's data. [451.40(b)]

LICENSE OR PERMIT BOND REQUIREMENTS [451.50]

20. Applicant shall supply a surety bond on condition of license. [451.50(a)]

FINANCIAL QUALIFICATIONS [451.320]

21. Applicant has provided financial documentation for its parent company in Attachment D. Applicant has met the requirements of Subsection 451.320(a) which are provided in Attachment H.
22. Applicant will not provide electric power and energy with property, plant and equipment that it owns, controls, or operates.

TECHNICAL QUALIFICATIONS [451.330]

23. Applicant will not use electric generation, transmission or distribution facilities that it owns, controls or operates in serving customers.

Applicant meets the requirements of Part 451.330 as demonstrated in Attachment E.

The following individuals on Applicant's staff have experience working with Applicant's facilities or an electric generation, transmission, or distribution facility that is substantially similar to the facility that Applicant owns: Nino C. Silvestri, Stephen Plummer, and Darryl Parent

The following individuals on Applicant's staff have at least four years experience buying and selling power and energy in wholesale markets: Nino C. Silvestri, Stephen Plummer, and Darryl Parent

The following individual on Applicant's staff has experience working for an entity that is a member of PJM: Darryl Parent. Applicant is a member of PJM as demonstrated in Attachment J.

Applicant agrees to maintain the following telephone number, fax number, and address where Applicant's staff can be directly reached at all times. Applicant understands that maintenance of an answering service or machine, pager, or similar message-taking procedure does not satisfy this requirement. [451.230(c), 451.330(c), 451.420(b)]

Telephone # 416-250-7117

Fax # 416-250-0220

Address 1500-5255 Yonge Street  
Toronto, ON M2N 6P4

MANAGERIAL QUALIFICATIONS [451.340 and 451.350]

24. Applicant meets the managerial qualifications set forth in Part 451.340, as demonstrated in Attachment E. Attachment F includes an exhibit containing a corporate organizational chart and identifying the persons or agents who are being used to meet each of the requirements of Part 451.340(b). Attachment G includes an organizational chart demonstrating Applicant's corporate structure (including all affiliated companies).

The following individuals in management positions on Applicant's staff have four years experience with enterprise financial and administration responsibilities including profit and loss responsibilities: Nino C. Silvestri, Stephen Plummer, and Darryl Parent

The following three individuals in management positions on Applicant's staff have four years experience buying and selling power and energy in wholesale markets: Nino C. Silvestri, Stephen Plummer, and Darryl Parent

The following three individuals in management positions on Applicant's staff have four years electric system operational experience: Nino C. Silvestri, Stephen Plummer, and Darryl Parent

25. Applicant is not relying on one or more agents or contractors to meet the technical and managerial requirements of Part 451.330 and 451.340.

FINANCIAL QUALIFICATIONS FOR SINGLE BILLING SERVICE [451.510]

26. Applicant does not intend to provide single billing services.

GENERAL PROVISIONS FOR APPLICANTS FILING UNDER SUBPART D [451.310]

27. Applicant certifies compliance with all terms and conditions required by Section 16-115A(c) of the Act. [451.310(a)]
28. Applicant has no limitations that will be imposed on the number of customers or maximum load to be served and certifies that it will not deny service to a customer or group of customers nor establish any differences as to prices, terms, conditions, services, products, facilities, or in any other respect, whereby such denial or differences are based on race, gender or income nor deny service to a customer or group of customers based on locality nor establish any unreasonable differences as to prices, terms, conditions, services, products, or facilities as between localities. [451.310 (b)]
29. Applicant has not been denied an electric supplier license in any state in the United States. [451.310(c)(1)]
30. Applicant has not had an electric supplier license suspended or revoked by any state in the United States. [451.310(c)(2)]
31. Applicant has an electric supplier license applications pending in the state of Ohio. [451.310(c)(3)]
32. Applicant has had a formal complaint filed against its affiliate, Planet Energy (Ontario) Corp. with a regulatory agency alleging fraud, deception or unfair marketing practices, or other similar allegations. Disclosure of the investigation is provided in Attachment A. Applicant has not had any informal complaints filed against it or an affiliate in Illinois. [451.310(c)(4)]
33. Applicant 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)]
34. Applicant 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)]

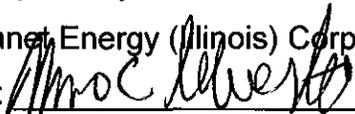
35. Applicant certifies it will provide documentation to the Commission and to customers that substantiates any claims made by the Applicant regarding the technologies and fuel types used to generate the electricity offered or sold to customers. [451.310(d)(3)]
36. Applicant certifies it will provide 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)]
37. Applicant 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)]
38. Applicant 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)]
39. Applicant certifies it will maintain sufficient managerial resources and abilities to provide the service for which it has a certificate of authority. [451.340(d)]

Form for ARES Applicants

WHEREFORE, Applicant requests that the Commission grant its application for service authority to serve residential and/or small commercial customers in the geographic locations served by the following utilities: Ameren Illinois Company, Commonwealth Edison Company, MidAmerican Energy Company, and Mt. Carmel Public Utility Co.

Respectfully submitted,

Planet Energy (Illinois) Corp.

By: 

Nino C. Silvestri, Co-CEO

Counsel: Jonathan Strum  
Law Offices of Jonathan D. Strum  
5638 Utah Avenue, NW  
Washington DC, 20015  
Phone: 202-362-9027  
Fax: 202-362-9037

VERIFICATION

Affidavit of: Planet Energy (Illinois) Corp.

Province of Ontario

Municipality of North York

Nino C. Silvestri, being first duly sworn, deposes and says that he is the Co-CEO of Planet Energy (Illinois) Corp; that he has read the foregoing Application of Planet Energy (Illinois) Corp, 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.

  
\_\_\_\_\_  
Nino C. Silvestri, Co-CEO

Subscribed and sworn to before me  
this 25<sup>th</sup> day of October, 2013.

  
\_\_\_\_\_  
Notary Public