

# **Attachment C**

## **BOND**

License or Permit Bond

Bond No. 0640124

Effective Date: 12/01/2013

KNOW ALL MEN BY THESE PRESENTS, That we,

Better Cost Energy LLC

as Principal, and International Fidelity Insurance Company,

a New Jersey 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 FIVE THOUSAND AND NO/100 Dollars (\$5,000.00), 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 ABC (Agent, Broker, or Consultant) under 220 ILCS 5/16-115C and is required to execute this bond under 83 Illinois Administrative Code Part 454.80 by the Obligee.

NOW, Therefore, if the Principal fully and faithfully perform all duties and obligations of the Principal as an ABC, 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 21st day of November, 2013

Better Cost Energy LLC  
Principal

By: [Signature]

International Fidelity Insurance Company  
Surety

By: [Signature]  
ROBERT L. FRAILLEY  
ATTORNEY IN FACT

**NOTARIAL JURAT**

**INDIVIDUAL ACKNOWLEDGEMENT**

State of: \_\_\_\_\_  
County of: \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me personally came \_\_\_\_\_  
\_\_\_\_\_ to me known, and known to me to be the  
individual \_\_\_\_\_ who executed the foregoing instrument and acknowledge to me that he/she/they executed the same.

\_\_\_\_\_  
(Signature of Notary Public)  
My Commission expires \_\_\_\_\_

**PARTNERSHIP ACKNOWLEDGEMENT**

State of: \_\_\_\_\_  
County of: \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me personally came \_\_\_\_\_  
\_\_\_\_\_ to me known, and known to me to be a  
member of the partnership of \_\_\_\_\_, acknowledged that  
he/she executed the foregoing  
instrument as the act of the said partnership.

\_\_\_\_\_  
(Signature of Notary Public)  
My Commission \_\_\_\_\_

**CORPORATE ACKNOWLEDGMENT**

State of: \_\_\_\_\_  
County of: \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me personally came \_\_\_\_\_  
to me known, who being by me duly sworn, deposes and says that \_\_\_\_\_ he is the \_\_\_\_\_ of \_\_\_\_\_  
the corporation described in and which executed the foregoing Agreement; that \_\_\_\_\_ he knows the seal of the said  
corporation; that the seal affixed to the said Agreement is such corporate seal; that it was so affixed by the order  
of the  
Board of Directors of said corporation, and that \_\_\_\_\_ he signed (her)(his) name thereto by like order.

\_\_\_\_\_  
(Signature of Notary Public)  
My commission expires \_\_\_\_\_

**SURETY ACKNOWLEDGEMENT**

State of: NEW YORK  
County of: ERIE

On this 23<sup>rd</sup> day of NOVEMBER 2013, before me personally came ROBERT L. FRANKEL to me known, who being by me  
duly sworn, deposes and says that he resides in the AMHERST, NEW YORK; that he is the  
ATTORNEY IN FACT of the above signed surety, the corporation described in and which executed the  
foregoing Agreement; that he knows the seal of the said corporation; that the seal affixed to the said  
Agreement is such corporate seal; that it was so affixed by the order of the Board of Directors of said  
corporation, and that he signed (his) name thereto by like order.

  
\_\_\_\_\_  
(Signature of Notary Public)  
My commission expires 2-10-2015

BERNARD S. RUDA  
Notary Public, State of New York  
Qualified in Erie County  
Commission Expires 2-10-2015

# POWER OF ATTORNEY INTERNATIONAL FIDELITY INSURANCE COMPANY

HOME OFFICE: ONE NEWARK CENTER, 20TH FLOOR  
NEWARK, NEW JERSEY 07102-5207

**KNOW ALL MEN BY THESE PRESENTS:** That INTERNATIONAL FIDELITY INSURANCE COMPANY, a corporation organized and existing laws of the State of New Jersey, and having its principal office in the City of Newark, New Jersey, does hereby constitute and appoint

**ROBERT FRAILEY, PAUL P. STEPHAN III**

Amherst, NY.

its true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise, and the execution of such instrument(s) in pursuance of these presents, shall be as binding upon the said INTERNATIONAL FIDELITY INSURANCE COMPANY, as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal office.

This Power of Attorney is executed, and may be revoked, pursuant to and by authority of Article 3-Section 3, of the By-Laws adopted by the Board of Directors of INTERNATIONAL FIDELITY INSURANCE COMPANY at a meeting called and held on the 7th day of February, 1974.

The President or any Vice President, Executive Vice President, Secretary or Assistant Secretary, shall have power and authority

- (1) To appoint Attorneys-in-fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and,
- (2) To remove, at any time, any such attorney-in-fact and revoke the authority given.

Further, this Power of Attorney is signed and sealed by facsimile pursuant to resolution of the Board of Directors of said Company adopted at a meeting duly called and held on the 29th day of April, 1982 of which the following is a true excerpt:

Now therefore the signatures of such officers and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.



IN TESTIMONY WHEREOF, INTERNATIONAL FIDELITY INSURANCE COMPANY has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 29th day of August, A.D. 2003.

STATE OF NEW JERSEY  
County of Essex

INTERNATIONAL FIDELITY INSURANCE COMPANY

*[Handwritten Signature]*  
Secretary

On this 29th day of August 2003, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said he is the therein described and authorized officer of the INTERNATIONAL FIDELITY INSURANCE COMPANY; that the seal affixed to said instrument is the Corporate Seal of said Company; that the said Corporate Seal and his signature were duly affixed by order of the Board of Directors of said Company.



IN TESTIMONY WHEREOF, I have hereunto set my hand affixed my Official Seal, at the City of Newark, New Jersey the day and year first above written.

*[Handwritten Signature]*

A NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires Nov. 21, 2010

### CERTIFICATION

I, the undersigned officer of INTERNATIONAL FIDELITY INSURANCE COMPANY do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Section of the By-Laws of said Company as set forth in said Power of Attorney, with the ORIGINALS ON IN THE HOME OFFICE OF SAID COMPANY, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect

IN TESTIMONY WHEREOF, I have hereunto set my hand this 22nd day of NOVEMBER, 2013

*[Handwritten Signature]*  
Assistant Secretary

**INTERNATIONAL FIDELITY INSURANCE COMPANY**  
 ONE NEWARK CENTER, 20<sup>TH</sup> FLOOR, NEWARK, NEW JERSEY 07102-5207

STATEMENT OF ASSETS, LIABILITIES, SURPLUS AND OTHER FUNDS

AT DECEMBER 31, 2012

ASSETS

Bonds (Amortized Value) .....	\$37,665,793
Preferred Stocks (Market Value) .....	2,500,000
Common Stocks (Market Value) .....	80,694,734
Mortgage Loans on Real Estate .....	400,000
Cash & Bank Deposits .....	93,103,224
Other Invested Assets .....	358,888
Unpaid Premiums & Assumed Balances .....	11,392,115
Reinsurance Recoverable from Reinsurers .....	2,486,235
Electronic Data Processing Equipment .....	334,973
Investment Income Due and Accrued .....	376,830
Net Deferred Tax Assets .....	5,627,125
Health Care ( ) and other amounts receivable .....	262,567
Other Assets .....	<u>11,622,747</u>
<b>TOTAL ASSETS .....</b>	<b><u>\$246,825,231</u></b>

LIABILITIES, SURPLUS & OTHER FUNDS

Losses (Reported Losses Net as to Reinsurance Ceded and Incurred But Not Reported Losses) .....	\$13,876,269
Reinsurance Payable on Paid Losses and Loss Adjustment Expenses (Schedule F, Part 1, Column 6) .....	1,510,083
Loss Adjustment Expenses .....	4,652,242
Contingent Commissions & Other Similar Charges .....	5,602,396
Other Expenses (Excluding Taxes, Licenses and Fees) .....	3,872,209
Taxes, Licenses & Fees (Excluding Federal Income Tax) .....	448,079
Current federal and Foreign Income Taxes .....	811,905
Unearned Premiums .....	36,650,734
Dividends Declared & Unpaid: Policyholders .....	500,000
Ceded Reinsurance Premiums Payable .....	4,082,113
Funds Held by Company under Reinsurance Treaties .....	1,031
Amounts Withheld by Company for Account of Others .....	70,783,059
Provisions for Reinsurance .....	2,152
Payable to Parent, Subsidiaries and Affiliates .....	205,016
Other Liabilities .....	<u>4,975</u>
<b>TOTAL LIABILITIES .....</b>	<b><u>\$143,002,263</u></b>
 Common Capital Stock .....	 \$1,500,000
Gross Paid-in & Contributed Surplus .....	374,600
Surplus Note .....	16,000,000
Unassigned Funds (Surplus) .....	88,265,914
Less: Treasury Stock at cost (51,501 shares common) (value incl. \$45.) .....	<u>2,317,545</u>
 Surplus as Regards Policyholders .....	 <u>\$103,822,969</u>
<b>TOTAL LIABILITIES, SURPLUS &amp; OTHER FUNDS .....</b>	<b><u>\$246,825,232</u></b>

I, Francis L. Mitterhoff, President of INTERNATIONAL FIDELITY INSURANCE COMPANY, certify that the foregoing is a fair statement of Assets, Liabilities, Surplus and Other Funds of this Company, at the close of business, December 31, 2012, as reflected by its books and records and as reported in its statement on file with the Insurance Department of the State of New Jersey.



IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of the Company, this 24<sup>th</sup> day of February, 2013.  
 INTERNATIONAL FIDELITY INSURANCE COMPANY