

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

STATE OF ILLINOIS

ORIGINAL

ILLINOIS COMMERCE COMMISSION

Agera Energy, LLC :
Application for Certificate of :
Service Authority under Section :
16-115 of the Public Utilities Act. :

Docket No.
14-0678

CHIEF CLERK'S OFFICE
2014 NOV 12 A 10 19
ILLINOIS COMMERCE COMMISSION

APPLICATION

Agera Energy, LLC ("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"). Agera Energy LLC is filing under subpart D of Part 451. In support of its application, Applicant states as follows:

REQUIREMENTS FOR ALL APPLICANTS [451.20]

1. The Applicant does not currently have the authority of the Commission to be an ARES, this is a new application for approval.
2. At the time of submission the Applicant is licensed New York and Ohio but has not begun serving customers. Applicant is pending approval or plans to apply for retail licenses in the following jurisdictions:

State	PSC License Number	Status
California		Not submitted
Connecticut		Pending
Delaware		Pending
District of Columbia		Pending
Florida		Not yet submitted.
Illinois		Not yet submitted.
Indiana		Not yet submitted.
Maine		Pending
Maryland		Pending
Massachusetts		Pending
Michigan		Pending
New Hampshire		Pending
New Jersey		Pending
New York	There are no license numbers issued in NY, but Agera has been	Active

	deemed an "eligible ESCO" by the NY Public Service Commission.	
Ohio	Certificate Number PUCO 14-881E(1)	Approved Electric
Pennsylvania		Pending
Rhode Island		Pending
Texas		Not yet submitted.
Virginia		Pending

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.
4. Applicant agrees to submit good faith schedules of transmission and energy in accordance with applicable tariffs.
5. Applicant certifies that it will comply with informational and reporting requirements that the Commission may by rule establish;
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;
7. Applicant's name and street address:
Agera Energy LLC
555 Pleasantville Road Suite 107-S
Briarcliff Manor, NY 10510
 - a) Federal Employer Identification Number: EIN:46-5028122
 - b) Type of business entity: Applicant is a Limited Liability 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): None.
 - e) Registered Agent in Illinois:
Vcorp Services, LLC
2920 W. Coyle Avenue
Chicago, IL 60645
8. The Applicant shall demonstrate that:

- a) Applicant is licensed to do business in the State of Illinois, as demonstrated in Attachment "EXHIBIT 8.a - Business License".
 - b) Applicant's employees will not be responsible for installing, operating and maintaining generation, transmission, or distribution facilities within the State of Illinois.
9. Applicant certifies compliance with all other applicable laws and regulations and Commission rules and orders;
10. Applicant certifies it will procure renewable energy resources as required by Section 16-115D and subsection (d) of Section 16-115 of the Act.
11. Applicant certifies that it will source electricity from clean coal facilities, as required by Section 16-115(d)(5) of the Act.

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.
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. Applicant seeks to offer electricity supply to the service territories of ComEd and the Ameren Companies in the State of Illinois.
- a) Applicant is a supplier of electricity and natural gas in competitive retail markets across the U.S. Applicant is not affiliated with an Illinois utility.
 - b) Applicant intends to service residential, commercial and industrial customers.
 - 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 "14c - Utility Notice".

15. The applicant certifies 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;

16. The contact persons for Agera Energy LLC are:

a) Processing Application:

Michael Joseph Nordlicht- General Counsel
555 Pleasantville Road Suite 107-S
Briarcliff Manor, NY 10510
Joseph.nordlicht@ageraenergy.com
Direct: 914-236-1406

Katie Perry – Director of Operations
555 Pleasantville Road Suite 107-S
Briarcliff Manor, NY 10510
kperry@ageraenergy.com
Direct: 415-632-9350

b) Retail customers, including complaint resolution:

Customer Support Line: 844-692-4372 /FAX: 888-277-2380
customercare@ageraenergy.com

Katie Perry – Director of Operations
555 Pleasantville Road Suite 107-S
Briarcliff Manor, NY 10510
kperry@ageraenergy.com Direct: 415-632-9350

c) Technical issues, including scheduling of generation, transmission, and distribution, and issues arising from relationships with other providers of electric services:

Phil Spillane- Chief Risk Officer
555 Pleasantville Road Suite 107-S
Briarcliff Manor, NY 10510
Email: pspillane@ageraenergy.com

17. Applicant agrees to accept service by electronic means.

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.
19. Applicant agrees to adopt and follow rules and procedures to preserve the confidentiality of its customer's data.

LICENSE OR PERMIT BOND REQUIREMENTS [451.50]

20. Applicant is required to execute and maintain a copy of the 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 the amount specified in Part 451.50(a) for the appropriate group of customers the Applicant seeks certification to serve.

Applicant will provide the applicable permit bond upon request of the Commission.

FINANCIAL QUALIFICATIONS [Clearly state 451.110, 451.220, or 451.320—Not applicable to Subpart E Applicants]

- 21.

Applicant meets the financial qualifications requirements via 83 IL ADC 451.320(3). Please see attached exhibit 21 which includes proof of Agera's membership in PJM, pivot tables summarizing load served by day for Comed

and Ameren, and the transition services agreement currently in effect. These materials demonstrate, and applicant certifies, that Agera is a member of one or more RTO's and purchases 100% of its physical electric energy from the RTO's for delivery to the service territories of the utilities for which the applicant is seeking a certificate. These materials are requested to be kept confidential, please see motion for protective order filed pursuant to 83 Ill. Adm. Code 200.430.

22. Applicant will not provide electric power and energy with property, plant and equipment that it owns, controls, or operates.

TECHNICAL QUALIFICATIONS [Clearly state 451.120, 451.230, 451.330, or 451.420]

23. Applicant will not use electric generation, transmission or distribution facilities that it owns, controls or operates in serving customers.
 - a) Applicant meets the requirements of Section 451.230, as demonstrated in Attachment "EXHIBIT 23.a_Technical Resumes", showing the resumes of key management and technical personnel.
 - a) Applicant will provide a scheduling facility with 24 hour manned operation for coordination with control centers of scheduling changes, reserve implementation, curtailment orders, and interruption plan implementation.
 - b) Applicant will maintain a telephone number, fax number, and address where its staff can be reached directly at all times. The 24-hour telephone number is 844-692-4372; the fax number is 888-277-2380; and the address is 555 Pleasantville Road Suite 107-S, Briarcliff Manor, NY 10510. Applicant understands that maintenance of an answering service or machine, pager, or similar message-taking procedure does not satisfy this requirement.

MANAGERIAL QUALIFICATIONS [Clearly state 451.130 and 451.140, 451.240 and 451.250, 451.340 and 451.350, or 451.430]

24. Applicant meets the managerial qualifications set forth in 451.340, as demonstrated in Attachment "Exhibit 24 - Managerial Qualifications". Attachment "Exhibit 24 - Agera Org Chart" 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.
25. Applicant is not relying on one or more agents or contractors to meet the technical and managerial requirements of Part 451.120 and 451.130, 451.230 and 451.240, 451. 330 and 451.340, or 451.420

FINANCIAL QUALIFICATIONS FOR SINGLE BILLING SERVICE

26. Applicant does not intend to provide single billing services but reserves the right to petition the Commission at a later date for approval of single billing service.

GENERAL PROVISIONS FOR APPLICANTS FILING UNDER SUBPART D

27. Applicant certifies compliance with all terms and conditions required by Section 16-115A(c) of the Act.
28. Applicant does not have any 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.
29. Applicant has not been denied an electric supplier license in any state in the United States.
30. Applicant has not had an electric supplier license suspended or revoked by any state in the United States.
31. Applicant has other electric supplier license applications pending in the United States: Connecticut, Massachusetts and Pennsylvania. Please also see number 2 above regarding anticipated applications.

32. Applicant 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.
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.
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.
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.
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.
37. Applicant certifies it will include materials comprising the consumer education program (pursuant to Section 16-117 of the Act) 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.
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) to have failed to provide

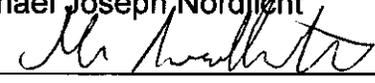
service in accordance with the terms of their contracts (pursuant to Section 16-117(g)(4)(C) of the Act).

39. Applicant certifies it will maintain sufficient managerial resources and abilities to provide the service for which it has a certificate of authority.

WHEREFORE, Applicant requests that the Commission grant its application for service authority to serve retail customers in residential, commercial and industrial sector in service territories of ComEd and the Ameren Companies in the State of Illinois.

Respectfully submitted,

Michael Joseph Nordlicht

By: _____

General Counsel

Name of Attorney

Attorney's Firm or Company Name

Address of Attorney

Attorney's Telephone Number

Attorney's Fax and E-mail (optional)

VERIFICATION

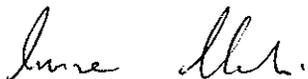
STATE OF New York)
COUNTY OF Westchester) ss:

Michael Joseph Nordlicht_, being first duly sworn, deposes and says that she/he is the General Counsel for Agera Energy LLC; that he/she has read the foregoing Application of Applicant, 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.



Michael Joseph Nordlicht

Subscribed and sworn to before me
this 30th day of Oct., [year]. 2014



Notary Public

[Stamp of Notary]

