

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

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**WESTPHAL & COMPANY, INC.** )  
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**APPLICATION FOR CERTIFICATION AS A DISTRIBUTED** ) **DOCKET No. 15-0428**  
**GENERATION INSTALLER UNDER SECTION 16-128A OF** )  
**THE PUBLIC UTILITIES ACT AND 83 ILL. ADM. CODE 468** )  
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**VERIFIED STATEMENT OF A. OLUSANJO OMONIYI**

My name is A. Olusanjo Omoniyi and I am employed by the Illinois Commerce Commission as a Policy Analyst in the Policy Division. I graduated from Southern Illinois University at Carbondale with a Bachelor of Arts degree in Cinema & Photography and Bachelor of Science degree in Radio-Television in 1987. In 1990, I obtained a Master of Arts degree in Telecommunications and a Juris Doctor in 1994 also from Southern Illinois University at Carbondale. Among my duties as a Policy Analyst is to review Applications for Certification filed by Distributed Generation Installers and Electric Vehicle Charging Stations Installers, Maintainers or Repairers and provide recommendation as to their approval.

**SYNOPSIS OF THE APPLICATION**

The instant Application for Certification as a Distributed Generation Installer (the “Application”) was filed by WESTPHAL & COMPANY, INC. (“Applicant”) on July 20, 2015. In the Application, WESTPHAL & COMPANY, INC. is seeking certification as an entity to install distributed generation facilities pursuant to Section 16-128A of the Public Utilities Act (“Act”) and 83 Ill. Adm. Code 468 (“Section 468”). Further, upon Staff’s inquiry on August 3, 2015 the Applicant confirmed that it is applying for a distributed generation certification so that

it may install solar panels and solar systems. **Staff Exhibit 1**. The purpose of my verified statement is to examine the Application based on the standards enunciated in Sections 468.50, 468.60, 468.80 and 468.110 of 83 Ill. Adm. Code 468 (“Section 468”) and Section 16-128A of the Act.

**I. APPROVAL UNDER SECTION 468**

**A. REQUIRED APPLICATION INFORMATION (Section 468.50)**

In accordance with 83 Ill. Adm. Code 468.50 (“Section 468.50”), the Applicant provided required information such as: the Applicant’s name (including d/b/a), street address, telephone number, facsimile number, website and e-mail addresses; contact information and other pertinent information for the persons or entities responsible for issues related to processing of the Application and the Applicant’s applicable federal employer identification number (FEIN) or taxpayer identification number (TIN). The Applicant also states it will comply with informational and reporting requirements established in Section 468.50. Further, the Applicant agrees to accept service by electronic means as provided in the Commission’s Rules of Practice, 83 Ill. Adm. Code 200.1050. Attached to the Application is an exhibit marked as Exhibit A containing information for each qualified person who will perform or directly supervise installations to satisfy the requirements of Section 468.50 which includes:

- a) A copy of the certification of satisfactory completion of the relevant training programs; and/or
- b) An Affidavit by each qualifying person attesting to having satisfactorily completed at least five (5) installations of distributed generation facilities that includes the type of each distributed generation facility (wind turbine, fuel cell, natural gas generator, etc.)

## **B. CERTIFICATION REQUIREMENTS (Section 468.60)**

The second issue that needs to be addressed by the Commission in approving or rejecting an application for certification of DG installers is to ensure that an Applicant certifies that it will meet the five (5) requirements in Section 468.60 which in pertinent part states that:

- a) It will remain in compliance with all applicable laws and regulations and Commission rules and orders, including, but not limited to, the requirements of Sections 16-128(a) and 16-128A of the Act and Section 468.
- b) It will ensure that its employees, agents or contractors, or the employees, agents or contractors of any entity, agent or contractor with which it has contracted to perform those functions within the State of Illinois, shall:
  - 1) Comply with applicable building and electrical codes, including those contained in the NEC;
  - 2) Comply with the distributed generation facility manufacturer's installation instructions;
  - 3) Install only distributed generation facilities that meet recognized industry standards; and
  - 4) Ensure that all obligations required under this Section and Sections 16-128(a) and 16-128A of the Act are met prior to placing into, or returning into, use any distributed generation facility that the certificate holder installed.
- c) It will comply with applicable licensing and municipal bonding requirements to do business in the State of Illinois.
- d) Every installation of a distributed generation facility will be performed only by:
  - 1) A qualified person; or;
  - 2) An electrical contractor who is not a qualified person, provided he/she is directly supervised by a qualified person; or;
  - 3) a person who is not a qualified person but is enrolled in a training program that, upon satisfactory completion, will meet the requirement to become a qualified person, provided he/she is directly supervised by a qualified person.

e) It is licensed to do business in the State of Illinois.

WESTPHAL & COMPANY, INC.'S Application was reviewed in accordance with all the five criteria in Section 468.60. WESTPHAL & COMPANY, INC. affirms it will remain in compliance with all applicable laws and regulation and Commission rules and orders, including but not limited to, the requirements of Sections 16-128(a) and 16-128A of the Act and Section 468. In particular, WESTPHAL & COMPANY, INC. certifies that: it will comply with applicable building and electrical codes and the DG facility manufacturer's installation instructions; it will install only DG facilities that meet recognized industry standards and it will ensure all obligations under Section 468.60 and Sections 16-128(a) and 16-128A are met before placing into or returning into use any DG facility that its employees installed. Further, WESTPHAL & COMPANY, INC. states that it will comply with applicable licensing and municipal bonding requirements to do business in the State of Illinois.

Moreover, WESTPHAL & COMPANY, INC. certifies that every installation of a DG facility will be performed by: a qualified person; or in the event an electrical contractor who is not a qualified person is used, the contractor will be directly supervised by a qualified person; or if a person who is not a qualified person but is enrolled in a training program that, upon satisfactory completion, will meet the requirement to become a qualified person, provided he/she is directly supervised by a qualified person. Finally, WESTPHAL & COMPANY, INC. affirms that it is licensed to do business in Illinois.

1. **The History of Training(s) and Installations**

WESTPHAL & COMPANY, INC. filed a set of information, Exhibit A, Affidavit, showing that one of its employees, GARY FUCHS., is a qualified person with the company. Based on the information provided by WESTPHAL & COMPANY, INC., GARY FUCHS is currently certified as a Master Class A Electrician by the Iowa Electrical Examining Board

(‘Board’) and he was issued a Certificate in 2014 with an expiration date of 12/31/2016. Under Chapter 103 of the Iowa Code, a Master Electrician is a person that has been a licensed Journeyman for at least a year prior to taking the Master Electrician Examination and has decided to take his or her career to the next level. Further, upon passing the examination, a Master Electrician certification indicates the holder has the necessary qualifications and technical knowledge to properly plan, layout, supervise and install electrical wiring and equipment for light, heat, power, and other purposes. Lastly, a Master Electrician usually supervise several Journeyman electricians on larger jobs and are responsible to assist in the design and layout of the electrical system of the project. Thus, in the instant case GARY FUCHS apparently has met the requirements as a qualified person for installations of distributed generation facilities.

## **2. Recommendations**

In order for any person to be a qualified person for DG installation on behalf of the certificate holder under Section 468.50(f)(1) and (2), each qualifying person must either have completed relevant training programs and/or must file an affidavit showing the person has satisfactorily completed at least five installations of DG facilities such as solar photovoltaic, wind turbine, fuel cell, natural gas generator, etc. Based on the information provided in this Application by WESTPHAL & COMPANY, INC. indicates that one of its employees, GARY FUCHS, is currently licensed as Master Class A Electrician in the State of Iowa. As previously discussed, GARY FUCHS has met the requirements as a qualified person for installations of photovoltaics distributed generation facilities and should be designated as such under Section 468.60(f)(2). Finally, based on the information of its qualified person, WESTPHAL & COMPANY, INC. should be approved only for one distributed generation technology, installation of photovoltaics distributed generation facilities. **See Staff Exhibit 1.**

**C. RECERTIFICATION REQUIREMENTS (Section 468.80)**

In accordance with Section 468.80, each certificate holder shall recertify annually to remain in good standing with the Commission. The recertification involves submission of a recertification report that includes the information required in Section 468.80(c), in particular, the certificate holder must continue to maintain the required qualifications, WESTPHAL & COMPANY, INC agrees for the service authority in its certificate. In this case, WESTPHAL & COMPANY, INC.to submit recertification reports in accordance with annual recertification requirements in Section 468.80.

**D. MAINTENANCE OF RECORDS (Section 468.110)**

In accordance with Section 468.110, the Applicant shall agree to adopt and follow procedures ensuring that documentation regarding the installation of DG facilities are retained for a period of not less than three calendar years after the calendar year in which they were created. Further, these records are required to be made available, upon request, to the Commission or its Staff on a confidential and proprietary basis. In this case, WESTPHAL & COMPANY, INC. agrees that it will comply with the requirements of Section 468.110.

**E. CONSUMER COMPLAINTS**

The Applicant states that other than Illinois, it has not been installing distributed generation facilities in any other state. In addition, the applicant stated that it has not received any consumer complaint in the last five years.

**II. CONCLUSION**

In the light of the foregoing facts and review, the Commission should grant WESTPHAL & COMPANY, INC.'S Application for certification as a Distributed Generation installer. The

Commission should also order WESTPHAL & COMPANY, INC. to comply with Recertification Requirements in compliance with Section 468.80. Finally, the Commission should order WESTPHAL & COMPANY, INC. to maintain all the records of the installation of DG facilities for a period of not less than three calendar years after the calendar year in which those records were created.

VERIFICATION

STATE OF ILLINOIS            )  
  ) SS  
COUNTY OF COOK            )

I, A. Olusanjo Omoniyi, do on oath depose and state that if called as a witness herein, I would testify to the facts contained in the foregoing document based upon personal knowledge.

  
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SIGNED AND SWORN TO BEFORE ME THIS 5<sup>TH</sup> DAY OF  
August, 2015.

  
\_\_\_\_\_  
NOTARY PUBLIC





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P.O. Box 1023 • Dubuque, IA 52003-1023 • Fax: (563)-588-3202

August 3, 2015

Sanjo Omoniyi  
Illinois Commerce Commission  
160 N. LaSalle, Suite C-800  
Chicago, IL 60601

RE: APPLICATION INFORMATION FOR WESTPHAL & COMPANY, INC.

Sanjo Omoniyi,

Westphal & Company, Inc. is applying for a Distributed Generation certificate so that we may install solar panels and solar systems.

I am sending with a better copy of our Master Electrician's license, Gary Fuchs, which you can see was issued from the state of Iowa in 2014 and expires on 12/31/2016.

Please don't hesitate to call if you have any questions.

Regards,

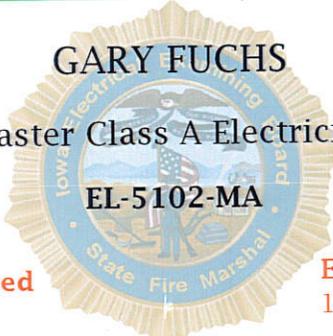
Ron Thielen V.P.

[www.westphalec.com](http://www.westphalec.com)

STAFF EXH.1

**Iowa Electrical Examining Board**

**GARY FUCHS**  
Master Class A Electrician  
**EL-5102-MA**



**Year Issued**  
2014

**Expiration**  
12/31/2016

The seal of the Iowa Electrical Examining Board is circular with a gold border. Inside the border, the text "Iowa Electrical Examining Board" is written around the top and "State Fire Marshal" around the bottom. The center of the seal features a blue background with a white eagle, a lightning bolt, and a gear.