

FACILITY SOLUTIONS group

lighting > electrical > energy > technology > signs

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

2016 MAR 28 P 2: 35

ORIGINAL

CHIEF CLERK'S OFFICE

March 22, 2016

Brien Sheahan
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701

Subject: Docket No. ~~12-0640~~

16-0210

Dear Mr. Sheahan:

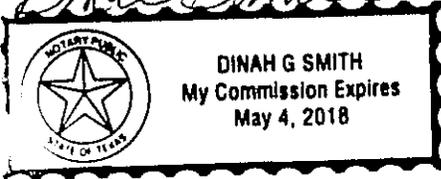
Please accept this request by Facility Solutions Group, Inc. (FSG) to file a Petition to Cancel ABC License. FSG no longer provides services related to the procurement or sale of retail electricity supply for third parties in the State of Illinois and as a result requests authority to cancel its ICC ABC license.

Thank you for your attention to this matter.

Sincerely,



William Graham
CEO



STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

Illinois Commerce Commission :
On Its Own Motion :
-vs- :
Facility Solutions Group, Inc. :
: 16-0152
Citation for failure to file Compliance :
Recertification Report required by 83 :
Ill. Adm. Code 454.110 :

ORDER

By the Commission:

Facility Solutions Group, Inc. ("Respondent"), received a license to operate as an agent, broker, or consultant from the Illinois Commerce Commission ("Commission") pursuant to 83 Ill. Adm. Code 454 in Docket No. 12-0640, by Order entered January 9, 2013.

A Staff Report dated February 15, 2015, and issued by the Commission's Office of Retail Market Development recounts that Respondent has failed to file its Compliance Recertification Report for 2014 by March 31, 2015, as required by 83 Ill Adm. Code 454.110. Section 454.110(a) states:

By March 31 of each year, each licensee shall submit a report identified with the name of the ABC as it appears in the most recent Commission order granting the ABC a license and shall be titled "ABC Annual (year) Recertification Report under 83 Ill. Adm. Code 454". All reports required under this Section shall be under oath and shall be filed with the Chief Clerk of the Commission with copies to the Director of the Commission's Energy Division, the Director of the Financial Analysis Division, and the Director of the Consumer Services Division.

Section 454.140, in turn, reads as follows:

- a) Upon complaint or on the Commission's own motion, the Commission may conduct an investigation of a licensee's actions under any Section of this Part. The Commission's findings of a violation of this Section after notice and hearing shall result in a progressive disciplinary scale as specified in Section 16-115C(g) of the Act.

- b) *For a first violation, the Commission may, in its discretion, suspend the license of the licensee so disciplined for a period of no less than one month. In determining whether to suspend the license of the licensee and the length of any suspension to be imposed the Commission shall consider whether the violation was deliberate or inadvertent, the harm or potential for harm to customers, and the effect or potential effect on competition. For a second violation within a 5-year period, the Commission shall suspend the license of the disciplined licensee for a period of not less than 6 months. For a third or subsequent violation within a 5-year period, the Commission shall suspend the license of the disciplined licensee for a period of not less than 2 years. [220 ILCS 5/16-115C(g)] [emphasis denoting statutory quote in original]*

The Commission finds that the information in the Staff Report provides a sufficient basis to initiate a proceeding to determine whether the respondent has violated 83 Ill. Adm. Code 454.110 and whether the license granted to Respondent should be suspended.

The Commission, having considered the entire record and being fully advised in the premises, is of the opinion and finds that:

- (1) Facility Solutions Group, Inc., has been granted a license to operate as an agent, broker, or consultant pursuant to 83 Ill. Adm. Code 454 and Section 16-115C of the Public Utilities Act (220 ILCS 5/16-115C);
- (2) the Commission has jurisdiction over the Respondent hereto and the subject matter herein;
- (3) the Staff Report dated February 15, 2016, should be filed in the docket and made a part of the record of this proceeding;
- (4) the recitals of fact set forth in the prefatory portion of this Order are supported by the record and are hereby adopted as findings of fact; and
- (5) the failure to file the annual Compliance Recertification Report required by 83 Ill. Adm. Code 454.110 is a violation of Part 454.

IT IS THEREFORE ORDERED that Facility Solutions Group, Inc., appear at the offices of the Commission at the time and date specified by the Administrative Law Judge assigned to this proceeding to adduce evidence as to whether Respondent has failed to file its Compliance Recertification Report for 2014 by March 31, 2015, as required by 83 Ill. Adm. Code 454.110, and to show cause, if any there be, why the Commission should not suspend, pursuant to 83 Ill. Adm. Code 454.140, any license granted to Respondent.

IT IS FURTHER ORDERED that the failure of Respondent to appear may result in the entry of an order suspending the license previously granted to Respondent.

IT IS FURTHER ORDERED that the Staff Report dated February 15, 2016, shall be filed in this docket and made a part of the record of this proceeding.

IT IS FURTHER ORDERED that this order is not final; it is not subject to the Administrative Review Law.

By order of the Commission this 9th day of March, 2016.

(SIGNED) BRIEN SHEAHAN

Chairman