

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

**FITZGERALD’S ELECTRICAL
CONTRACTING, INC.**

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DOCKET No. 16-0131

**APPLICATION FOR CERTIFICATION AS AN INSTALLER OF
DISTRIBUTED GENERATION FACILITIES UNDER SECTION
16-128A OF THE PUBLIC UTILITIES ACT AND 83 ILL.
ADM. CODE 468**

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 FITZGERALD’S ELECTRICAL CONTRACTING, INC. (“Applicant”) on March 4, 2016. In the Application, FITZGERALD’S ELECTRICAL CONTRACTING, 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”). The Applicant installs mainly photovoltaic type of distributed generation facilities. 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 Staff Exhibit 1 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.

FITZGERALD'S ELECTRICAL CONTRACTING, INC.'S Application was reviewed in accordance with all the five criteria in Section 468.60. FITZGERALD'S ELECTRICAL CONTRACTING, 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, FITZGERALD'S ELECTRICAL CONTRACTING, 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, FITZGERALD'S ELECTRICAL CONTRACTING, INC. states that it will comply with applicable licensing and municipal bonding requirements to do business in the State of Illinois.

Moreover, FITZGERALD'S ELECTRICAL CONTRACTING, 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, FITZGERALD'S ELECTRICAL CONTRACTING, INC. affirms that it is licensed to do business in Illinois.

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

Upon request from Staff, FITZGERALD'S ELECTRICAL CONTRACTING, INC. filed a set of information showing that two (2) of its employees, JAMES KEITH FITZGERALD AND JAMES O. REINTS, are qualified persons with the company. See Exhibit A. The Applicant

shows that both JAMES KEITH FITZGERALD AND JAMES O. REINTS have each successfully completed the requirements necessary to obtain the Certificate of Completion of Apprenticeship through the U.S. Department of Labor, Bureau of Apprenticeship and Training for the occupation of Electrician under the sponsorship of Northern Illinois Electrical JATC. Thus, both of them have met the requirements as qualified persons 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. The information provided in this Application by FITZGERALD'S ELECTRICAL CONTRACTING, INC. indicates that two (2) of its employees, JAMES KEITH FITZGERALD AND JAMES O. REINTS, are qualified persons with the company. Thus, they should be designated as qualified persons as such under Section 468.60(f)(2). Finally, based on the information of its qualified persons, FITZGERALD'S ELECTRICAL CONTRACTING, INC. should be approved for photovoltaic distributed generation technology.

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, FITZGERALD'S

ELECTRICAL CONTRACTING, INC. agrees for the service authority in its certificate. In this case, FITZGERALD'S ELECTRICAL CONTRACTING, 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, FITZGERALD'S ELECTRICAL CONTRACTING, 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 FITZGERALD'S ELECTRICAL CONTRACTING, INC.'S Application for certification as a Distributed Generation installer. The Commission should also order FITZGERALD'S ELECTRICAL CONTRACTING, INC. to comply with Recertification Requirements in compliance with Section 468.80. Finally, the Commission should order FITZGERALD'S ELECTRICAL CONTRACTING, 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)
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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.



SIGNED AND SWORN TO BEFORE ME THIS 4TH DAY OF
MAY, 2016.



NOTARY PUBLIC

