

ORIGINAL
RECEIVED

JUN 16 2016

Alpha Gas and Electric, LLC :
:
Application for Certificate of :
Service Authority under Section :
16-115 of the Public Utilities Act. :

Docket No. ILLINOIS COMMERCE COMMISSION
CHIEF CLERK'S OFFICE

16-0351

APPLICATION

Alpha Gas and Electric, 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"). Alpha Gas and Electric, 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. State whether Applicant currently has authority from the Commission to be an ARES, and if so, the Docket Number under which such authority was granted.

Applicant currently does not have authority from the Commission to be an ARES.

2. A statement to disclose whether it is licensed as an alternative retail electric supplier in any other jurisdictions, similar to the licensure required under Section 16-115 of the Illinois Public Utilities Act. Additionally, the Applicant is directed to disclose whether it, or any of its affiliates, has had any complaints filed against it for its provision of any services in the electric or gas industry in this or any other jurisdiction. If yes, the Applicant is directed to include in its response the nature of the complaint, the jurisdiction, and the ultimate resolution.

The Applicant is licensed as an alternative retail electric supplier in other jurisdictions similar to the licensure required under Section 16-115 of the Illinois Public Utilities Act including; New Jersey (License #ESL-0106), Ohio (License # 13-701E (1)) and Pennsylvania (License #A-2011-2254554), and in New York since 10/09/2010

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; [451.20(a)]

Alpha Gas and Electric, LLC will comply with the above requirements. Please see the below certification.

4. Applicant agrees to submit good faith schedules of transmission and energy in accordance with applicable tariffs. [451.20(a)]

Alpha Gas and Electric, LLC will comply with the above requirements. Please see the below certification.

5. Applicant certifies that it will comply with informational and reporting requirements that the Commission may by rule establish; [451.20(b)]

Alpha Gas and Electric, LLC will comply with the above requirements. Please see the below certification.

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; [451.20(b)]

Alpha Gas and Electric, LLC will comply with the above requirements. Please see the below certification.

7. Applicant's name and street address: [451.20(c)(1)]

Alpha Gas and Electric, LLC
971 Route 45, Suite 202
Pomona, NY 10970

- a) Federal Employer Identification Number: 273718690
- b) Type of business entity: Limited Liability Company (LLC)
- c) Jurisdiction in which and under whose laws business entity was created:
New York
- d) Other names under which Applicant does business (D/B/A):
Not applicable
- e) Registered Agent in Illinois:

Vcorp Services
25 Robert Pitt Dr, Suite 204
Monsey, NY 10952
(888) 528-2677

8. The Applicant shall demonstrate that:
- a) Applicant is licensed to do business in the State of Illinois, as demonstrated in Attachment 8.a. [451.20(d)(1)]

Please see attachment 8.a for Illinois business license.

b Applicant's employees that will be installing, operating, and maintaining generation, transmission, or distribution facilities within the State of Illinois, as well as any entity with which the Applicant has contracted to perform those functions, have the requisite knowledge, skills, and competence to perform those functions in a safe and responsible manner in order to provide safe and reliable service in accordance with the criteria stated in Section 16-128(a) of the Act [220 ILCS 5/16-128(a)], as demonstrated in Attachment __. [451.20(d)(2)]

This is not applicable

9. Applicant shall certify compliance with all other applicable laws and regulations and Commission rules and orders; [451.20(e)]

Alpha Gas and Electric, LLC will comply with the above requirements. Please see the below certification.

10. Applicant shall certify it will procure renewable energy resources as required by Section 16-115D and subsection (d) of Section 16-115 of the Act, **OR** shall certify that Section 16-115D and subsection (d) of Section 16-115 of the Act do not apply to it pursuant to subsection (h) of Section 16-115D of the Act. [451.20(f)].

Alpha Gas and Electric, LLC intends to fully comply with Subsection 16-115(d)(5) of the Act and the specific requirements to procure renewable energy resources as defined in the Illinois Power Agency Act.

11. Applicant shall certify that it will source electricity from clean coal facilities, as required by Section 16-115(d)(5) of the Act. [451.20(g)]

Alpha Gas and Electric, LLC will comply with the above requirements. Please see the below certification.

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. [451.30(a)]

Alpha Gas and Electric agrees to publish notice of its application for certification in the Official State Newspaper within 10 days following the filing of this application.

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)

Alpha Gas and Electric, LLC will comply with the above requirements. Please see the below certification.

14. Geographic area in which Applicant seeks to be authorized to offer service (if less than entire State, provide detailed description) and the types of services it intends to offer. [451.30(c)]

The Applicant seeks to be authorized to offer service to customers eligible to take service under the Act throughout the Commonwealth Edison Company and Ameren Illinois. Applicant's services will include: supplying retail customers with their expected twelve month electric generation load requirements by purchasing energy and related services through wholesale generation suppliers and traders participating in the various wholesale markets. Alpha Gas and Electric, LLC is already a member of PJM (subaccount 30035) and will thus purchase 100% of its power through PJM.

- a) Description of Applicant's business. Applicant IS NOT affiliated with an Illinois utility.

Alpha Gas and Electric has earned a sterling reputation for professionalism and service. They retain only the finest companies and consummate professionals who share their commitment to superior service. While many

companies offer only one service, Alpha Gas and Electric provides both gas and electric needs for their customers. The operational nature of Alpha Gas and Electric's business focuses on the customer-facing aspects while ensuring the proper support and efficiencies are available on the back-end to provide customers with quality service and value. Alpha Gas and Electric, LLC will be supplying retail customers with their expected twelve month electric generation load requirements by purchasing energy and related services through wholesale generation suppliers and traders participating in the various wholesale markets.

Alpha Gas and Electric, LLC also has existing relationships with legal and regulatory partners who can assist in addressing customer inquiries or complaints.

For example, Alpha Gas and Electric has contracted with GP Renewables & Trading, LLC, a New York based corporation with over ten years of energy industry experience to manage all wholesale business processes. GP Renewables & Trading, LLC is tasked with creating retail supply forecasts, helping to schedule energy in to the PJM ISO as well and managing all settlement data and hedging activities.

GP Renewables & Trading, LLC currently manages over 500,000 retail meters nationwide for over 30 different power and gas marketers.

Alpha Gas and Electric, LLC's EDI transactions are managed by EC Infosystems, Inc., the leading provider of EDI solutions in the alternative retail electric supplier industry. EC Infosystems provides billing and EDI services in 19 states to over 70 utilities and 150 customers. Transaction management is provided through EC Infosystems' EC-Central (online portal for Transaction Entry), True Track (Free Tracking Portal) and Utilibill technology solutions. Among other services, EC Infosystems provides back office support for account assignments, payments, customer enrollments, tracking current and historical usage, and remittance advice to Alpha Gas and Electric.

- b) Description of the characteristics of customer group(s) Applicant proposes to serve. [451.30(c)(2)]

Applicant is filing under Part 451, Subpart D, Part 451.300- Applicability to Subpart D, in order to serve all retail 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.

Please see the notification sent to the in-state agent in Attachment 14.c.

15. The applicant shall certify 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; [451.30(d)(2)]

Alpha Gas and Electric, LLC will comply with the above requirements. Please see the below certification.

16. Application shall include Contact Persons for the following:

a) issues related to processing this application,

Alexandre Baldassano
Managing Director- GP Renewables & Trading, LLC
131 Varick Street, Suite 1006,
New York, NY 10013,
Telephone: 203-391-4990,
Email: alex@gprenew.com
Fax: 203-295-3794

David Wanounou
CEO - Alpha Gas and Electric, LLC
971 Route 45, Suite 202
Pomona, NY 10970
Telephone: 888-636-3749
E-Mail: david@alphagne.com

Dina Freedman
Alpha Gas and Electric
971 Route 45, Suite 202
Pomona, NY 10970
Telephone: 845-810-0088
E-Mail: all@alphagne.com

b) issues related to retail customers, including complaint resolution, and

Dina Freedman
Alpha Gas and Electric, LLC
971 Route 45, Suite 202
Pomona, NY 10970
Telephone: 888-636-3749
E-Mail: all@alphagne.com

- d) technical issues, including scheduling of generation, transmission, and distribution, and issues arising from relationships with other providers of electric services.

David Wanounou
CEO - Alpha Gas and Electric, LLC
971 Route 45, Suite 202
Pomona, NY 10970
Telephone: 888-636-3749
E-Mail: david@alphagne.com

Henry Bennett
Alpha Gas and Electric, LLC
972 Route 45, Suite 202
Pomona, NY 10970
Telephone: 845-810-0088
E-Mail: all@alphagne.com

Provide each contact person's name, title, mailing address, telephone number, facsimile number, and e-mail address.

17. Applicant AGREES to accept service by electronic means. [451.30(e)]

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.

[451.40(a)]

Alpha Gas and Electric, LLC will comply with the above requirements. Please see the below certification.

19. Applicant agrees to adopt and follow rules and procedures to preserve the confidentiality of its customer's data. [451.40(b)]

Alpha Gas and Electric, LLC will comply with the above requirements. Please see the below certification.

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.

Please see bond in Attachment 20

FINANCIAL QUALIFICATIONS

21. Applicant meets one of the six financial criteria set forth in Part 451.320(a)(1-6), as demonstrated in Attachment 21. If a Subpart C or D Applicant fails to meet or qualify for certification under Part 451.220(a) or 451.320(a), the Applicant shall so state and provide the information required by Part 451.220(b) or 451.320(b).

Applicant meets the financial requirements under 451.320(a)(3) because it is a member of the PJM Connection RTO (subaccount 30035) and will purchase on its behalf one hundred percent of Applicant's physical electric energy from PJM for delivery to the service territory of Commonwealth Edison Company and Ameren IL Company.

Please see Attachment 21 for PJM letter of good standing.

22. Applicant WILL NOT provide electric power and energy with property, plant and equipment that it owns, controls, or operates. If Applicant will provide electric power and energy with property, plant and equipment that it owns, controls, or operates, Applicant shall verify that it meets the requirements of Part 451.110(b), 451.220(c), or 451.320(c) for commercial general liability insurance. Attachment ___ shows that the commercial general liability insurance coverage is in the amount of \$___ and shall remain in effect for a period of not less than one year. Attachment ___ shows that the insurers have Best's ratings of A- or better and Best's financial sizes of VII or larger.

TECHNICAL QUALIFICATIONS

23. Applicant WILL NOT use electric generation, transmission or distribution facilities that it owns, controls or operates in serving customers.

Applicant meets the requirements of [list applicable code part Part 451.330 as demonstrated in Attachment 23.

Please see Attachment 23. with the appropriate resumes of David Wanounou, , Harvey Klein, Israel Orzel, Gabriel Phillips, Jonathan Spivak, and Alexandre Baldassano

The following individuals on Applicant's staff have experience working with Applicant's facilities or an electric generation, transmission, or distribution facility that is substantially similar to the facility that Applicant owns:

This is Not Applicable

The following individuals on Applicant's staff have experience buying and selling power and energy in wholesale markets:

Please see Attachment 23. with the appropriate resumes of Gabriel Phillips, Jonathan Spivak, and Alexandre Baldassano

The following individuals on Applicant's staff have experience working for an entity that is either a member of PJM, a market participant in the Midwest ISO, or has a system operator certificate from NERC, or has earned Certified Energy Procurement Professional status by the Association of Energy Engineers (or equivalent certification):

Please see Attachment 23. with the appropriate resumes of Gabriel Phillips, Jonathan Spivak, and Alexandre Baldassano

Applicant agrees to maintain the following telephone number, fax number, and address where Applicant's staff can be directly reached at all times. Applicant understands that maintenance of an answering service or machine, pager, or similar message-taking procedure does not satisfy this requirement.

Tel: (888) 636-3749

Fax: (845) 501-0633

Address: 971 Route 45, Suite 202
Pomona, NY 10970

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 [Part 451.130] [451.240] [451.340] (not applicable to Subpart E Applicants), as demonstrated in Attachment 23. Attachment 24 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 [list applicable code part: 451.130(b), 451.240(b), or 451.340(b)].

Applicant meets the managerial qualifications set forth in Part 451.340, as demonstrated in Attachment 23 & 24.

The following individuals in management positions on Applicant's staff have four years experience with enterprise financial and administration responsibilities including profit and loss responsibilities:

Please see Attachment 23 with the appropriate resumes.

The following three individuals in management positions on Applicant's staff have four years experience buying and selling power and energy in wholesale markets:

Please see Attachment 23 with the appropriate resumes.

The following three individuals in management positions on Applicant's staff have four years electric system operational experience:

Please see Attachment 23 with the appropriate resumes.

25. Applicant IS 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. [(If Applicant is relying on such agents or contractors)] Each agent and contractor on whom the Applicant relies to meet these requirements is disclosed on Attachment 23. Attachment should include narrative and/or resumes of agent's or contractor's key personnel showing clearly how each applicable technical or managerial experience requirement is being met. [451.140(a), 451.250(a), 451.350(a), or 451.430(a)] Applicant certifies that each such agent or contractor will comply with all the

sections of Part 451 that are applicable to the functions to be performed by the respective agent or contractor. [451.140(b), 451.250(b), 451.350(b), or 451.430(b)]

Please see Attachment 23 with the appropriate resumes.

FINANCIAL QUALIFICATIONS FOR SINGLE BILLING SERVICE [451.510]

26. Applicant DOES NOT INTEND to provide single billing services.

GENERAL PROVISIONS FOR APPLICANTS FILING UNDER SUBPART D [451.310]

27. Subpart C and D applicants must certify compliance with all terms and conditions required by Section 16-115A(c) of the Act. [451.210 and 451.310(a)]

Alpha Gas and Electric, LLC will comply with the above requirements. Please see the below certification.

28. Applicant shall state any limitations that will be imposed on the number of customers or maximum load to be served and certify 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. [451.310 b)]

This is Not Applicable

29. Applicant HAS NOT been denied an electric supplier license in any state in the United States. [451.310(c)(1)]

30. Applicant HAS NOT had an electric supplier license suspended or revoked by any state in the United States. Attachment ___ provides details about each suspension/revocation, including the name, date, case number, and jurisdiction of the suspension/revocation order. [451.310(c)(2)]

31. Applicant DOES NOT HAVE other electric supplier license applications pending in the United States: [451.310(c)(3)]

32. Applicant IS 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. Attachment 32 provides details about each such lawsuit and/or complaint, including the name, date, case number, and jurisdiction of the lawsuit/complaint. [451.310(c)(4)]
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. [451.310(d)(1)]
Alpha Gas and Electric, LLC will comply with the above requirements. Please see the below certification.
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. [451.310(d)(2)]
Alpha Gas and Electric, LLC will comply with the above requirements. Please see the below certification.
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. [451.310(d)(3)]
Alpha Gas and Electric, LLC will comply with the above requirements. Please see the below certification.
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. [451.310(d)(4)]

Alpha Gas and Electric, LLC will comply with the above requirements. Please see the below certification.

37. Applicant certifies it will include materials comprising the consumer education program (pursuant to Section 16-117 of the Act [220 ILCS 5/16-117]) 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. [451.310(e) and 451.310(f)]

Alpha Gas and Electric, LLC will comply with the above requirements. Please see the below certification.

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 [220 ILCS 5/10-108]) 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). [451.310(g)]

Alpha Gas and Electric, LLC will comply with the above requirements. Please see the below certification.

39. Applicant certifies it will maintain sufficient managerial resources and abilities to provide the service for which it has a certificate of authority. [451.340(d)]

Alpha Gas and Electric, LLC will comply with the above requirements. Please see the below certification.

WHEREFORE, Applicant requests that the Commission grant its application for service authority to serve all types of retail customers in the entire service area of Commonwealth Edison Company.

Respectfully submitted,

ALPHA GAS AND ELECTRIC

By: 

David Wanounou
CEO

Usher Fogel
Usher Fogel Attorney at Law
557 Central Avenue, Suite 4A
Cedarhurst, New York 11516
Phone: 516-967-3242
Fax: 516-374-2600
Email: ufogel@aol.com

VERIFICATION

STATE OF: *New York*) ss:
COUNTY OF: *Rockland*

David Wanounou being first duly sworn, deposes and says that he is the CEO of Alpha Gas and Electric; that he has read the foregoing Application of Alpha Gas and Electric, LLC 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.



David Wanounou
CEO

Subscribed and sworn to before me
this *6th* day of *June*, [year]. *2016*



Notary Public

RENEE LEVINE
Notary Public, State of New York
No. 02LE6127285
Qualified in Rockland County
Commission Expires May 29, 2017

[Stamp of Notary]