

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

EMF ELECTRIC COMPANY)	
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APPLICATION FOR CERTIFICATION TO INSTALL, MAINTAIN OR REPAIR ELECTRIC VEHICLE CHARGING STATION FACILITIES UNDER SECTION 16-128A OF THE PUBLIC UTILITIES ACT.)	DOCKET No. 16-0049
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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 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 to Install, Maintain or Repair Electric Vehicle Charging Station Facilities under Section 16-128A of the Public Utilities Act (the “Application”) was filed by EMF ELECTRIC COMPANY (“Applicant”) on January 28, 2016. In the Application, EMF ELECTRIC COMPANY is seeking certification as an entity to Install, Maintain or Repair Electric Vehicle Charging Station Facilities under Section 16-128A of the Public Utilities Act (“Act”) and 83 Ill. Adm. Code 469 (“Section 469”). The purpose of my

verified statement is to examine the Application based on the standards enunciated in Sections 469.40, 469.50, 469.70, 469.100 and 469.120 of Section 469” and Section 16-128A of the Act.

I. APPROVAL UNDER SECTION 469

A. REQUIRED APPLICATION INFORMATION (Section 469.40)

In accordance with Section 469.40, 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 469.50.

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. EMF ELECTRIC COMPAN did not attach to the Application an exhibit containing information for each qualified person who will perform or directly supervise installations to satisfy the requirements of Section 469.40 (f) which includes:

- 1) A copy of the certification of satisfactory completion of the relevant training programs; and/or
- 2) An Affidavit by each qualifying person attesting to having satisfactorily completed at least five (5) installations of electric vehicle charging stations.

1) Information of Commercial General Liability Insurance

In addition, pursuant to Section 469.40(g), each Applicant is required to have in force, and provide proof that it has in force, general liability insurance that shall remain in effect for a period of not less than one year. In this instance, the Applicant states it shall provide a certificate of insurance as part of its application for certification so as to comply with the insurance requirements of Section 469.40(g) which states in pertinent that:

- 1) The applicant shall be deemed to have sufficient commercial general liability insurance, which is comprised of premises and operations insurance and products and complete operations insurance. The commercial general liability insurance shall have a coverage limit of at least \$100,000 per occurrence and \$300,000 aggregate limits for bodily injury.
- 2) In addition, the applicant shall have property damage insurance with limits of at least \$25,000 or shall have a policy with a single limit for bodily injury and property damage of up to \$300,000 per occurrence and \$300,000 aggregate limits.
- 3) The commercial general liability insurance must be maintained with an insurance company whose Best's rating is A- or better and whose Best's financial size category is VII or larger, and whose contract of insurance is issued pursuant to Section 445 or 445a of the Illinois Insurance Code [215 ILCS 5/445 or 445a] and countersigned by the Surplus Line Association of Illinois or its successor.
- 4) The applicant shall provide a certificate of insurance as part of its application for certification. If the applicant or Commission-certified IMR renews or makes changes in its insurance coverage, the insurance coverage must be continuous and without interruption. The certificate of insurance and the insurance policies shall contain a provision that coverage afforded under the policies shall not be cancelled, allowed to expire, or subjected to a reduction in the limits in any manner unless at least 30 days prior written notice (10 days notice in the case of nonpayment of premium) has been given to the Commission. The IMR shall file a copy of the additional or replacement certificate of insurance with the Chief Clerk of the Commission and provide a copy to the "Policy Division – IMR Insurance Compliance" or its successor at least 15 days in advance of the effective date of the certificate of insurance. The filing shall include a cover letter that explains the purpose of the filing and shall be identified by the name of the IMR as it appears in the most recent Commission order granting the IMR certification.

Attached to this application is an exhibit marked as Exhibit C, Certificate of Liability Insurance, demonstrating that EMF ELECTRIC COMPANY meets the insurance coverage. Applicant has a commercial General Liability insurance coverage limit of at least \$1,000,000 per occurrence and \$2,000,000 general aggregate limits. It simultaneously has \$2,000,000 for product- comp/op aggregate limit. Also, Applicant obtained Damage to Rented Premises coverage for each occurrence of \$100,000 limit, Med Exp for any one person of \$5,000 and Personal and Adv. Injury coverage of \$1,000,000.

In addition, Applicant has Automobile Liability of Combined Single Limit for each accident coverage of \$1,000,000. It also has Umbrella Liability Excess Liability for each occurrence coverage of \$1,000,000 and Aggregate coverage of \$1,000,000. Furthermore, Applicant has Workers Compensation and Employers Liability per each accident coverage of \$500,000, per disease for each employee coverage of also \$500,000 and disease policy limit of \$500,000. Finally, Applicant has coverages for Business Personal Property of \$100,000.

The commercial general liability insurance obtained by EMF ELECTRIC COMPANY was issued by Acuity. Finally, Applicant stated that should any of its insurance policies be cancelled before the expiration date, it will send notice to the Commission's office in Springfield, Illinois in compliance with Section 469.40(g)(4).

B. CERTIFICATION REQUIREMENTS (Section 469.50)

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 469.50 which in pertinent part states that:

- a) The applicant certifies that 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 of this Part.

- b) The applicant certifies that it will ensure that its employees, agents or contractors that install, maintain or repair electric vehicle charging stations, 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 electric vehicle charging station manufacturer's installation, maintenance and repair instructions;
 - 3) Install only electric vehicle charging stations that meet the standards UL2202 - Electric Vehicle (EV) Charging System Equipment, UL2231-1 - Personnel Protection Systems for Electric Vehicle (EV) Supply Circuits: General Requirements, UL2231-2 - Personnel Protection Systems for Electric Vehicle (EV) Supply Circuits: Particular Requirements for Protection Devices for Use in Charging System and UL2594 - Electric Vehicle Supply Equipment, developed by the Underwriters Laboratory, 333 Pfingsten Road, Northbrook IL 60062;
 - 4) Ensure that all IMR obligations required under this Part and Sections 16-128(a) and 16-128A of the Act are met prior to the placing into, or returning into, use any electric vehicle charging station that the certificate holder installed, maintained or repaired; and
 - 5) Submit notifications to the servicing electric utility in accordance with the requirements specified in the applicable tariffs of the servicing electric utility, Section 16-128A of the Act, and this Part.
- c) The applicant certifies that it will comply with applicable municipal licensing and bonding requirements to do business in the State of Illinois.
- d) The applicant certifies that every installation, maintenance and repair of an electric vehicle charging station will be performed only by:
- 1) a qualified person;
 - 2) a person licensed as an electrical contractor in at least one municipality in the State of Illinois who is not a qualified person, provided he/she is directly supervised by a qualified person; or
 - 3) a person 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) The applicant certifies that it is licensed to do business in the State of Illinois.

EMF ELECTRIC COMPANY's Application was reviewed in accordance with all the five criteria in Section 469.50. EMF ELECTRIC COMPANY 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 469.50. In particular, EMF ELECTRIC COMPANY certifies that: it will comply with applicable building and electrical codes including those contained in the NEC; the electric vehicle charging station manufacturer's installation, maintenance and repair instructions; it will install only electric vehicle charging stations that meet recognized industry standards as stated in Section 469.50(b)(3) namely: UL2202, UL2231-1, UL 2231-2 and UL2594. Also, Applicant states it will ensure all obligations under Section 469.50 and Sections 16-128(a) and 16-128A are met before placing into or returning into use any electric vehicle charging station that it installed, maintained or repaired. Moreover, it will submit notifications to the servicing electric utility in accordance with the requirements specified in the applicable tariffs of the servicing electric utility under Section 16-128A of the Act and Section 469.50.

Further, EMF ELECTRIC COMPANY states that it will comply with applicable municipal licensing and bonding requirements to do business in the State of Illinois. Moreover, EMF ELECTRIC COMPANY certifies that every installation, maintenance and repair of an electric vehicle charging station will be performed only by:

- 1) a qualified person;
- 2) a person licensed as an electrical contractor in at least one municipality in the State of Illinois who is not a qualified person, provided he/she is directly supervised by a qualified person; or
- 3) a person 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, EMF ELECTRIC COMPANY affirms that it is licensed to do business in Illinois.

1. The History of Installations and Certificates of Training

EMF ELECTRIC COMPANY failed to file information showing that it has hired any qualified person to install , maintain or repair electric vehicle charging station facilities under Section 16-128A of the Public Utilities Act (“Act”) and 83 Ill. Adm. Code 469 (“Part 469”).

2. Recommendations

II. CONCLUSION

In the light of the foregoing facts and review, the Commission should deny EMF ELECTRIC COMPANY’s Application for Certification to Install, Maintain or Repair Electric Vehicle Charging Station Facilities under Section 16-128A of the Public Utilities Act.

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.



SIGNED AND SWORN TO BEFORE ME THIS 8TH DAY OF
JUNE, 2016.



NOTARY PUBLIC

