

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

ORIGINAL

RECEIVED
SEP 13 2016

ILLINOIS COMMERCE COMMISSION
CHIEF CLERK'S OFFICE

HomeADE, LLC d/b/a Zentility :
:
Application for Licensure of :
Agents, Brokers, and Consultants :
under Section 16-115C :
of the Public Utilities Act. :

Docket No.

16-0435

APPLICATION

HomeADE, LLC d/b/a Zentility ("Applicant"), hereby requests that the Illinois Commerce Commission ("Commission") grant it a license pursuant to Section 16-115C of the Public Utilities Act ("Act"). In support of its application, Applicant states as follows:

GENERAL [454.40, 454.50, 454.100]

1. Applicant's name and street address.

HomeADE, LLC d/b/a Zentility
1350 Magnolia Avenue
Annapolis, MD 21403-4668

2. Related Information:

- Type of business entity: LLC
- Jurisdiction in which and under whose laws business entity was created: Maryland
- Other names under which Applicant does business (D/B/A): Zentility

3. Contact Persons for the following:

a) issues related to processing this application [454.130]

James H. Cawley, Director of Strategy & Regulatory Compliance
434 North Front Street
Wormleysburg, PA 17043
(717) 439-8776
jcawley@zentility.com

b) issues related to complaint resolution [454.130]

Ryan Peusch, President & CEO
1350 Magnolia Avenue
Annapolis, MD 21403-4668
(443) 710-1920
ryan@zentility.com

4. Description of Applicant's business. [454.40(c)(1)]

By making free application-based software ("Software as a Service" or SAAS) available to the public and its customers on their mobile Apple or Android devices, the company acts as an electricity broker that charges substantially lower than industry standard commissions, which are included in the electricity supplier's kWh price and disclosed to the customer (such disclosure is not a standard industry practice).

The software assists customers to purchase electricity at the best price and term, as marketplace circumstances exist at that point in time, from state-licensed competitive suppliers, by reviewing available offers and making a report and recommendation to the customer. The software provides the recommended supplier's contract which can be downloaded if desired and rejected with a request for different parameters or terms. If the contract is accepted, the software notifies the new supplier and the customer's electric distribution company of the switch. The software then constantly monitors the marketplace and alerts the customer if a more economically advantageous rate and term become available mid-term, even with payment of an early termination fee.

Customers are given the option to remain engaged or may authorize the company to act on its behalf to make supplier changes.

Anyone is free to use the software, but custom pricing and other features are available only to those who authorize Zentility to act as their exclusive broker.

After querying the customer on its individual circumstances, the software also provides energy efficiency and conservation recommendations and checks customers' electric bills for accuracy. See the company's website at www.zentility.com.

5. A statement in support of application (including supporting documents and schedules if necessary) certifying the applicant meets the requirements of Section 16-115C of the Act. [454.40(d)(1)]

Zentility hereby certifies that its service meets the requirements of Section 16-115C of the Act and the Commission's regulation at Title 83, Chapter 1, Subchapter c, Part 454, Section 454.40(d)(1).

As described in its answer to Question 4 above, Zentility's customers are charged nothing by Zentility, which is paid a commission by the supplier, which in turn usually includes all or part of it in its offered kilowatt-hour price to the customer. Unlike most electricity brokers, Zentility discloses to its customers its commission embedded in the supplier's offered price. The total price per kilowatt-hour, and the total anticipated cost, inclusive of all fees or commissions received by Zentility, to be paid by the customer over the period of the proposed underlying customer contract is disclosed to the customer in the written contract of the winning supplier after an auction process. As a dynamic software-based service, Zentility is able to instruct suppliers to include in the supplier's bid price Zentility's commission, which is far below the industry standard charged by energy brokers and aggregators, while providing a more efficient, timely, effective, and less expensive service.

6. The name, address, telephone number, any facsimile number and any e-mail address of the agent registered with the Illinois Secretary of State. This information shall be kept current and any change regarding the licensee shall be reported within 15 days after the change occurs. The required information shall be filed with the Chief Clerk of the Commission at its Springfield office. [454.40(c)(3)]

InCorp Services, Inc.
901 S. 2nd St., Ste. 201
Springfield, IL 62704
1-800-246-2677
orderstatus@incorp.com

7. A statement to disclose whether the Applicant operates as an agent, broker, or consultant in any other jurisdictions in a manner similar to that contemplated under Section 16-115C of the Act. Additionally, regardless of whether Applicant operates as an agent, broker, or consultant in Illinois or any other jurisdiction, the Applicant is directed to disclose whether it 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 any such complaints exist, the Applicant is directed to include in its response the nature of the complaint, the jurisdiction, and the ultimate resolution.

Zentility is operating and doing business as an electricity (not natural gas) broker in the State of Maryland, the Commonwealth of Pennsylvania, and

the State of New Jersey. It is also authorized to do business as an electricity broker in the states of New York, Texas, and Connecticut. It has not had any complaints filed against it for its provision of any services in the electric or gas industry in any of these states.

8. Applicant certifies that it:

- a) is licensed to do business in the State of Illinois and is in compliance with all other applicable laws, regulations and Commission rules and orders; [454.40(c)(2)]

The Secretary of State's Certificate of Good Standing is attached to this application as **Attachment A**.

- b) shall comply with all terms and conditions required by Section 16-115C of the Act; [454.40(d)(2)] **See Attachment B.**
- c) shall ensure any person who acts on behalf of the entity will comply with all sections of Part 454 applicable to the function or functions to be performed; [454.40(d)(3)] **See Attachment B.**
- d) shall remain in compliance with the provisions of the Act and Part 454; [454.50] **See Attachment B.**
- e) shall ensure that authorizations received from customers, and all other applicable records are retained for a period of not less than three calendar years after the calendar year in which they were created; and [454.100(a)] **See Attachment B.**
- f) shall preserve the confidentiality of its customers' data. [454.100(b)] **See Attachment B.**

MANAGERIAL LICENSING QUALIFICATIONS [Section 454.60]

- 9. Applicant meets the managerial qualifications set forth in Part 454.60, as demonstrated in **Attachment C**. **Attachment D** includes an exhibit containing a corporate organizational chart and identifying the persons who are being used to meet the requirements of Part 454.60(a). **Attachment E** includes an exhibit containing occupational background information on the person or persons who are being used to meet the requirements of Part 454.60(a).

TECHNICAL LICENSING QUALIFICATIONS [Section 454.70]

- 10. Applicant meets the technical qualifications set forth in Part 454.70, as demonstrated in **Attachment F**. **Attachment G** includes an exhibit containing occupational background information on the person or persons who are being used to meet the requirements of Part 454.70(a).

FINANCIAL LICENSING REQUIREMENTS [SECTION 454.80]

11. Applicant is required to execute and maintain a 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 \$5,000. **See Attachment H.**

CODE OF CONDUCT [SECTION 454.90]

12. Applicant certifies that it shall:
 - a) Disclose in plain language in writing the nature of the services offered by the ABC;
 - b) Prior to the customer signing a contract, disclose that they are not employed by the electric utility operating in the applicable service territory;
 - c) Disclose in plain language in writing to all persons it solicits the total price per kilowatt-hour, and the total anticipated cost, inclusive of all fees or commissions received by the licensee, to be paid by the customer over the period of the proposed underlying customer contract. In the event a person or entity required to be licensed pursuant to this Part uses an electric supply usage estimate for a particular customer, the person or entity required to be licensed pursuant to this Part must use the same electric supply usage estimate for all service offers it presents to that particular customer;
 - d) Any disclosure required by subsection (c) must be made prior to entering into the contract and signed by the customer;
 - e) Disclose if applicable, to all customers, prior to the customer signing a contract the fact that they will be receiving compensation from the supplier;
 - f) Not hold itself out as independent or unaffiliated with any RES, or both, or use words calculated to give that impression, unless the person or entity offering service under Section 16-115C of the Act has no contractual relationship with any RES or its affiliates regarding retail electric service in Illinois;
 - g) Not utilize false, misleading, materially inaccurate, defamatory or otherwise deceptive language or materials in the soliciting or providing of its services;
 - h) Maintain copies of all marketing materials disseminated to third parties for a period of not less than three years;

- i) Maintain copies of all disclosure statements required in subsections (a) and (b) for a period of not less than three years;
- j) Not present electricity pricing information in a manner that favors one supplier over another, unless a valid pricing comparison is made utilizing all relevant costs and terms; and
- k) Comply with the requirements of Sections 2EE, 2FF, 2GG and 2HH of the Consumer Fraud and Deceptive Business Practices Act [815 ILCS 505/2EE, 2FF, 2GG and 2HH].

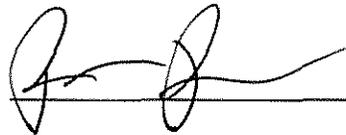
See Attachment I for certifications for Questions 12, Items (a)-(k).

REPORTING REQUIREMENTS [SECTION 454.110]

13. Applicant agrees to submit reports in accordance with annual reporting requirements. [454.110] **See Attachment J.**

WHEREFORE, Applicant requests that the Commission grant its application for licensure as an agent, broker, or consultant to engage in the procurement or sale of retail electricity supply for third parties.

Respectfully submitted,



HomeADE, LLC d/b/a Zentility

By: Ryan Peusch, President & CEO

VERIFICATION

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF ADAMS

Ryan Peusch, being first duly sworn, deposes and says that he is an owner of Applicant; that he has read the foregoing Application of HomeADE, LLC d/b/a Zentility, 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.


Ryan Peusch

To be completed by a Notary Public

Subscribed and sworn to before me

this 16th day of August, 2016


Notary Public

