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Commonwealth Energy Corporation
d/b/a electricAmerica

Application for Certificate of
Service Authority under Section
16-115 of the Public Utilities Act.

Docket No.

02-0660

APPLICATION

Commonwealth Energy Corporation d/b/a electricAmerica ("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"). In support of its application, Applicant states as follows:

General [451.20 and 451.30]

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

Commonwealth Energy Corporation d/b/a electricAmerica
15901 Red Hill Avenue Suite 100 Tustin, CA 92780.

2. Related Information

Type of business entity: [corporation, LLP, LLC, etc.]

Corporation.

Jurisdiction in which and under whose laws business entity was created:

The State of California.

Other names under which Applicant does business (D/B/A):

electricAmerica.

Federal Employer Identification Number: [451.20(e)(2)]

33-0769555.

Registered Agent in Illinois:

CT Corporation Systems
208 South La Salle St.
Chicago, 60604.

3. Contact Persons for the following:

- a) issues related to processing this application

Michael G. Nelson – Asst. General Counsel
15901 Red Hill Avenue Suite 100 Tustin, CA 92780.
Tel. 714-258-0470 ext. 2593.
Fax 714-259-2575
Mnelson@electric.com

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

Inger Goodman – Sr. Regulatory Analyst
15901 Red Hill Avenue Suite 100 Tustin, CA 92780.
Tel. 714-258-0470 ext. 2508.
Fax 714-259-2575.
Igoodman@electric.com

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

Max Carpenter – Power Resource Manager
15901 Red Hill Avenue Suite 100 Tustin, CA 92780.
Tel. 714-258-0470 ext. 2517.
Fax 714-259-2592
Mcarpenter@electric.com

Identification of each contact person's name, title, mailing address, telephone number, facsimile number, and e-mail address. *See above information.*

4. Applicant is licensed to do business in the State of Illinois, as demonstrated in Attachment A. [451.20(f)(1)]

5. Applicant's employees that will be installing, operating, and maintaining generation, transmission, or distribution facilities within the State of Illinois, and 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(f)(2)] *Not applicable.*

6. Description of Applicant's business. [451.30(c)(1)]

Commonwealth Energy Corporation d/b/a electricAmerica is currently serving retail electric customers in Pennsylvania and California. We also have obtained licenses to act as an electric service provider in Texas, Ohio, New Jersey and New York. In addition to providing energy, we offer customers energy efficiency products and services such as light bulbs, appliance controllers and other devices.

7. 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)]

Commonwealth Energy Corporation will provide electric service and market energy-efficiency products and services to customers in the territories of Commonwealth Edison and the Illinois Power Company. See Attachment B for a map of these territories.

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

At this time, Commonwealth Energy Corporation d/b/a electricAmerica is intending to service all eligible retail customers with a maximum electrical demand of 1 Megawatt or more.

9. Proof of notification to each utility of Applicant's intent to serve in the utility's service area is provided in Attachment C [451.30(c)(3)].

10. Applicant certifies that it:

- a) 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 including the Open Access Same-time Information System (OASIS) mandated by 18 CFR 37 and the rules and operating guidelines and procedures of the regional or national electric reliability council(s) or organization(s) and their successors for any portion of the state in which the applicant is certified to provide retail electric service); [451.20(a)]
- b) will provide service only to retail customers that are eligible to take delivery services; [451.20(b)]
- c) will comply with informational and reporting requirements that the Commission may by rule establish; [451.20(c)]
- d) will comply with informational and reporting requirements that the Commission may establish regarding the provision of information required by Section 16-112 of the Act; [451.20(d)]
- e) complies with all other applicable laws and regulations and Commission rules and orders; [451.20(g)] and
- f) complies with all terms and conditions required by Sections 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)]

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

12. 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)]

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

14. Whether Applicant currently has authority from the Commission to be an ARES, and if so, the Docket Number under which such authority was granted. [(If Applicant currently has a Certificate of Service Authority) Applicant requests that such current authority be consolidated with any authority granted pursuant to this application, under the docket number of this application.] *Not applicable.*

Reciprocity [451.20(e)]

15. The names and addresses of all of Applicant's affiliated companies involved in electric retail sales or purchases in the North American continent are as follows: [451.20(e)(3)]

Commonwealth Energy Corporation d/b/a electricAmerica has no such affiliates.

16. Applicant certifies that it complies with Section 16-115(d)(5) of the Act [220 ILCS5/16-115(d)(5)], and that it will remain in compliance with such requirements and will annually certify such compliance to the Commission within 30 days after the anniversary date of its certification. A demonstration that Applicant is in compliance with Section 16-115(d)(5) of the Act is set forth in Attachment *D*. [451.20(e)]

Financial Qualifications [451.110]

17. Applicant meets the financial qualifications set forth in 83 Ill. Adm. Code 451.110, as demonstrated in Attachment *E*. [Attach copy of bond required by Section 451.110(a), and demonstration that Applicant meets any of the criteria in Section 451.110(b) or (c), whichever is applicable.]

Technical Qualifications [451.120]

18. Applicant *will not* use electric generation, transmission or distribution facilities that it owns, controls or operates in serving customers. Applicant meets the requirements of Section 451.120[(a)][(b)], as demonstrated in Attachment *F*. [The attachment may include narrative form as well as resumes of key personnel.]

Managerial Qualifications [451.130 and 451.140]

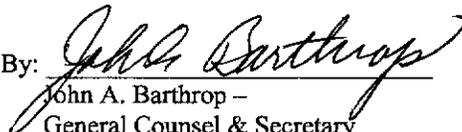
19. Applicant meets the managerial qualifications set forth in 83 Ill. Adm. Code 451.130, as demonstrated in Attachment *G*. Attachment *H* includes an exhibit containing a corporate organizational chart and indicating the positions of the persons or agents who are being used to meet the requirements of 83 Ill. Adm. Code 451.130.
20. Applicant *is not* relying on one or more agents or contractors to meet the requirements of 83 Ill. Adm. Code 451.120 and 451.130.

Financial Qualifications for Single Billing Service [451.510]

21. Applicant *does not at this time* intend to provide single billing services.

WHEREFORE, Applicant requests that the Commission grant its application for service authority to serve retail customers with maximum electrical demands of one megawatt or more in the utility territories of Commonwealth Edison and the Illinois Power Company.

Respectfully submitted,

By: 
John A. Barthrop –
General Counsel & Secretary
Commonwealth Energy Corporation
d/b/a electricAmerica

VERIFICATION

STATE OF CALIFORNIA
COUNTY OF ORANGE

) ss:

John A. Barthrop being first duly sworn, deposes and says that she he is (the) [a(n)]
General Counsel [of] (for) [Applicant]; that he/she has read the foregoing Application of [Applicant], 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 [her][his] knowledge, information
and belief.

John A. Barthrop
[Name of person verifying application]

Subscribed and sworn to before me
this 1 day of Oct., [year], 2002

Julie Scott
Notary Public
[Stamp of Notary]

