STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

M.D. Capes Quality Heating & Air Conditioning
Application for Certification to Install Energy Efficiency Measures under Section 16-128B of the Public Utilities Act: 19-0965

ORDER

By the Commission:

I. INTRODUCTION

M.D. Capes Quality Heating & Air Conditioning ("Applicant") filed a verified Application with the Illinois Commerce Commission ("Commission") requesting a certificate of service authority to operate as an installer of energy efficiency measures in Illinois pursuant to Section 16-128B of the Public Utilities Act ("Act"). 220 ILCS 5/16-128B. Because all the information to grant the requested relief is contained in the Application, the hearing is waived.

II. THE APPLICATION

The Applicant has provided all pertinent contact information for itself as well as those persons or entities responsible for issues related to processing of the Application. Applicant has provided its applicable federal employer identification number or taxpayer identification number. The Applicant agrees to comply with the informational and reporting requirements established in Section 462 of the Commission’s Rules. 83 Ill. Adm. Code 462. In addition, the Applicant agrees to accept service by electronic means as provided under the Commission’s Rules of Practice. 83 Ill. Adm. Code 200.1050. Applicant has provided proof, through Attachment A to the Application, that it has in force general liability insurance that shall remain in effect for a period of not less than one year, as required by Section 462.40(f) of the Commission’s Rules. 83 Ill. Adm. Code 462.40(f).

In addition, Applicant has certified that it meets the following five (5) requirements contained in Section 462.50:

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 16-128B of the Act and Part 462.

b) It will ensure that its employees, agents or contractors that install energy efficiency measures, 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 National Electric Code; and

2) Comply with the energy efficiency measure manufacturer's installation instructions.

c) It will comply with applicable municipal licensing and bonding requirements to do business in the State of Illinois.

d) Every installation of an energy efficiency measure will only be performed 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 either an apprenticeship as a journeyman electrician from a United States Department of Labor Registered Electrician Apprenticeship and Training Program or certificate or degree program accredited by an educational institute related to the duties of an Installer 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.

III. COMMISSION CONCLUSION AND CERTIFICATE OF SERVICE AUTHORITY

The Commission has reviewed the Application and attachments provided by the Applicant and finds that the Applicant sufficiently demonstrates compliance with the requirements of the Act and Part 462. The Commission concludes, therefore, that the Applicant’s request for a certificate of service authority to operate as an Installer of Energy Efficiency Measures in Illinois should be granted and should include the following authority:

CERTIFICATE OF SERVICE AUTHORITY

IT IS CERTIFIED that M.D. Capes Quality Heating & Air Conditioning is granted service authority to operate as an Installer of Energy Efficiency Measures in the State of Illinois.

IV. FINDINGS AND ORDERING PARAGRAPHS

The Commission, having reviewed the entire record, is of the opinion and finds that:

(1) M.D. Capes Quality Heating & Air Conditioning is authorized to transact business in Illinois and seeks a certificate of service authority to operate as an Installer of Energy Efficiency Measures under Section 16-128B of the Act;

(2) the Commission has jurisdiction over the party hereto and the subject matter hereof;
(3) the recitals of fact and conclusions reached in the prefatory portion of this Order are supported by the record and are hereby adopted as findings of fact;

(4) Applicant has provided the necessary information, proof of general liability insurance and made the required certifications to provide services as an Installer of Energy Efficiency Measures in the State of Illinois; and

(5) Applicant should be granted a certificate of service authority to operate as an Installer of Energy Efficiency Measures as specified in this Order.

IT IS THEREFORE ORDERED by the Illinois Commerce Commission that M.D. Capes Quality Heating & Air Conditioning is hereby granted a Certificate of Service Authority to operate as an Installer of Energy Efficiency Measures; said Certificate of Service Authority shall read as that set forth in Section III of this Order.

IT IS FURTHER ORDERED that Applicant shall comply with the recertification requirements in 83 Ill. Adm. Code 462.70.

IT IS FURTHER ORDERED that Applicant, as part of the recertification requirements in 83 Ill. Adm. Code 462.70, explicitly certify that it maintains insurance coverage that meets or exceeds the requirements of 83 Ill. Adm. Code 462.40.

IT IS FURTHER ORDERED that, pursuant to 83 Ill. Adm. Code 462.100, Applicant shall adopt and follow rules and procedures ensuring that documentation regarding installations are retained for a period of not less than three calendar years after the calendar year in which they were created. These records shall be made available by request to the Commission or its Staff on a confidential and proprietary basis.

IT IS FURTHER ORDERED that Applicant shall comply with all applicable Commission rules and orders now and as hereafter amended.

IT IS FURTHER ORDERED that pursuant to Section 10-113(a) of the Public Utilities Act and 83 Ill. Adm. Code 200.880, any application for rehearing shall be filed within 30 days after service of the Order on the party.

IT IS FURTHER ORDERED that, subject to the provisions of Section 10-113 of the Public Utilities Act and 83 Ill. Adm. Code 200.880, this Order is final; it is not subject to the Administrative Review Law.

By Order of the Commission this 19th day of December, 2019.

(SIGNED) CARRIE ZALEWSKI

Chairman