**Section 451.340 Managerial Qualifications under Subpart D**

An applicant shall be deemed to possess sufficient managerial capabilities to serve retail customers identified in this Subpart if it has three or more individuals in management positions with four or more years experience with enterprise financial and administration responsibilities including profit and loss responsibilities, four years experience buying and selling power and energy in wholesale markets, and four years electric system operational experience and provides the information required in subsections (a) and (b) of this Section.

a) The applicant shall include in its application an exhibit that identifies, by name and job title, the persons on its staff, and agents or contractors utilized pursuant to Section 451.350, with the managerial experience required under this Subpart D. The exhibit shall provide a description of the relevant occupational experience for each person, including a description of the duties and the duration of the duties being used to meet each experience requirement of this Section.

b) The applicant shall include in its application an exhibit containing a corporate organizational chart and indicating the position of the persons or agents who are being used to meet the requirements of this Section.

c) In the event the applicant does not meet the managerial qualifications set forth in this Section, the applicant shall demonstrate the extent its managerial resources and abilities match the services that it intends to provide to its customers. The Commission may impose such terms and conditions as deemed necessary in order to insure the applicant is managerially qualified, commensurate with the anticipated scope of the service to be provided and customers to be served.

d) With respect to serving residential and small commercial retail customers, an alternative retail electric supplier must maintain sufficient managerial resources and abilities to provide the service for which it has a certificate of authority. In determining the level of managerial resources and abilities that the alternative retail electric supplier must demonstrate, the Commission shall consider the following:

1) complaints to the Commission by consumers regarding the alternative electric supplier, including those that reflect on the alternative electric supplier's ability to properly manage solicitation and authorization; and

2) the alternative electric supplier's involvement in the Commission's consumer complaint process, including the resources the alternative electric supplier dedicates to the process and the alternative electric supplier's ability to manage the issues raised by complaints, and the resolutions of the complaints.

(Source: Amended at 34 Ill. Reg. 15283, effective September 25, 2010)