**Section 551.140 Financial Reporting Requirements**

The AGS shall provide a copy of only those documents that the AGS requires to demonstrate that it continues to possess sufficient financial resources to serve the residential or small commercial customers for which it has received a certificate of service authority. The applicable documents shall be submitted at the times specified below:

a) An AGS that seeks to demonstrate that it maintains sufficient financial resources to provide the services for which it has received a certificate of service authority using the criteria set forth in Section 551.80(a) shall submit an updated copy of a Dun & Bradstreet Business Information Report that demonstrates, at a minimum, that the AGS has a Composite Credit Appraisal of “3” or lower and a PAYDEX score of “70” or higher. If the AGS does not have a Dun & Bradstreet Composite Credit Appraisal, the AGS shall file an updated copy of an Experian Small Business Intelliscore report that demonstrates, at a minimum, that the AGS has an Intelliscore of “63” or higher. The applicable updated report shall be filed between January 1 and January 31 of each year. The report shall be no more than 30 days old at the date of the annual filing.

b) An AGS that seeks to demonstrate that it maintains sufficient financial resources to provide the services for which it has received a certificate of service authority using the criteria set forth in Section 551.80(b), (c), (d)(4), (d)(6), (e)(1), (e)(3), or (f) shall submit a copy of the latest ratings report presenting the short-term or long-term credit or obligation ratings of the AGS, creditors, affiliates, or guarantors, as applicable, from the ratings agencies between January 1 and January 31 of each year and within 15 days following any downgrade of such ratings previously filed with the Commission to a rating below A-1 or A-, if issued from Standard & Poor's or its successor, P-1 or A3, if issued from Moody's Investors Service or its successor, or F-1 or A-, if issued from Fitch Ratings or its successor. Within 30 days after a downgrade of the short-term or long-term credit or obligation ratings of the AGS or its creditors, affiliates, or guarantors, as applicable, to a level below the minimum required under this Part, the AGS shall submit a report that identifies the subsection under which the AGS is seeking to demonstrate that its financial resources remain sufficient for providing the services for which it has received a certificate of service authority and includes the information and documents that subsection requires.

c) An AGS that seeks to demonstrate that it maintains sufficient financial resources to provide the services for which it has received a certificate of service authority using the criteria set forth in Section 551.80(c), (d), (e), or (f) shall submit a copy of any modified, replacement or additional borrowing agreements, unconditional guarantees, lines of credit, revolving credit agreements, payment bonds, and letters of credit, as applicable, at least 15 days in advance of any modification, cancellation or expiration of the financial agreements.

d) Between January 1 and January 31 of each year, an AGS that seeks to use the criteria specified in Section 551.80(d) to demonstrate that it maintains sufficient financial resources to provide the services for which it has received a certificate of service authority shall provide the maximum daily amount of natural gas scheduled in dekatherms during the previous calendar year and the date on which that amount was scheduled. If the AGS has been serving Illinois residential or small commercial customers for less than 12 months, the AGS shall also provide an estimate of the maximum daily amount of natural gas in dekatherms it will schedule during the current calendar year.

e) An AGS that seeks to demonstrate that it maintains sufficient financial resources to provide the services for which it has received a certificate of service authority using the criteria set forth in Section 551.80(c), (d), (f), or (g) shall submit a copy of its certified financial statements, or those of its parent, and accountant's report, as applicable, within 120 days after the close of its fiscal year.

f) An AGS that has contracted to acquire customer accounts from another AGS shall, at least 15 days in advance of any acquistion, demonstrate that it maintains suffient financial resources to provide the service for which it has received a certificate of service authority using the criteria set forth in Section 551.80(c), (d) or (f) and providing an estimate of the amount of revenue expected from the customer accounts under contract to be acquired, including supporting documents.

(Source: Amended at 28 Ill. Reg. 833, effective January 1, 2004)