

**BEFORE THE ARKANSAS STATE BOARD OF LICENSURE FOR  
PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS**

**Complainant:**

Arkansas State Board of Licensure for  
Professional Engineers and Professional  
Surveyors

**Case #2009-41**

**Respondent:**

Energy Smart Corporation  
P.O. Box 22084  
Hot Springs, AR 71903

**DISCIPLINARY HEARING**

On March 30, 2010, the Board of Licensure for Professional Engineers and Professional Surveyors (hereinafter “the Board”) held a formal hearing to consider the referenced matter. Finding proper notice had been given the Respondent, and after considering all evidence presented, the Board issues the following Findings of Fact, Conclusions of Law, and Order:

**FINDINGS OF FACT**

1. The Board has jurisdiction over the Respondent and the subject matter of this complaint.
2. The Respondent does not now, nor has it ever, held a valid Certificate of Authorization to offer engineering or surveying services in Arkansas.
3. On December 28, 2009, Board staff visited the Respondent’s webpage and found, under the heading of “A brief overview of experienced professionals available,” a number of personnel are identified as engineers. So far as can be determined, none of them are licensed in Arkansas.

**CONCLUSIONS OF LAW**

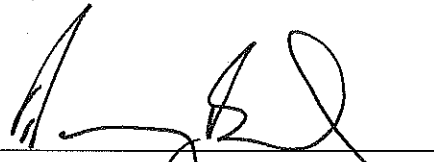
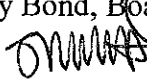
The conduct of the Respondent, as outlined in the Findings of Fact above, constitutes one count of offering to provide engineering services in Arkansas, within the meaning of Arkansas Code Annotated §17-30-101(4)(B)(ii), without a valid Certificate of Authorization, in violation of Arkansas Code Annotated §17-30-303.

**ORDER**

Based on these Findings and Conclusions, the Respondent shall pay to the Board a civil penalty of \$100 for the violation described in the Conclusions of Law above.

Payment must be submitted within fifty (50) days of the service of this Order.

**ORDERED** this 3rd day of June, 2010.

  
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Tommy Bond, Board Vice-President  


**APPEALS**

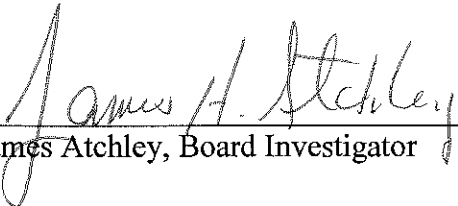
This Order may be appealed within thirty (30) days of service upon the Respondent, as specified in the Arkansas Administrative Procedures Act, according to the provisions of Arkansas Code Annotated §25-15-212.

**CERTIFICATE OF SERVICE**

I, James Atchley, Investigator of the Arkansas State Board of Licensure for Professional Engineers and Professional Surveyors, do hereby certify that I have served a copy of the attached order by mailing copies of same, by first class mail and certified mail, with return receipt requested and postage prepaid, on this 3<sup>rd</sup> day of June, 2010, to:

Mr. Robert Driggers  
Energy Smart Corporation  
P.O. Box 22084  
Hot Springs, AR 71903

G. Ben Bancroft  
Attorney at Law  
2836 Malvern Avenue, Suite G  
Hot Springs, AR

  
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James Atchley, Board Investigator