

**New York State Department of Public Service**

**Energy Service Company (ESCO)  
RETAIL ACCESS APPLICATION FORM**

**New ESCO Applications** should be submitted in DMM matter **15-00555**.  
**Current ESCOs** updating information should file in DMM matter **14-02554**.

To register for an e-filer user account, please visit:

<http://www3.dps.ny.gov/W/PSCWeb.nsf/All/CC256BE982C58CF785257687006F39CE?OpenDocument>

**Use additional sheets as necessary**

**1. Business Information**

Business Name: Direct Energy Business, LLC  
Address: 1001 Liberty Avenue, Suite 1200  
City: Pittsburgh State: PA ZIP: 15222  
Telephone: 800-830-5923 Fax: 866-421-0257

If you intend to market your services under other name(s) (e.g., d/b/a, alias) please list here:

N/A

Do you currently have any energy affiliates (including subsidiaries) located or operating within New York State? YES  NO

If yes, please provide the contact information for any entity with an ownership interest of 10 percent or more in the company(ies) listed above?

Business Name: Direct Energy Business Marketing, LLC; Direct Energy Services, LLC  
Contact Person: John Schultz, President; Manu Asthana, Co-President  
Address: 194 Wood Avenue South; 12 Greenway Plaza, Suite 250  
City: Iselin; Houston State: NJ;TX ZIP: 08830; 77046  
Telephone: 732-516-2600/713-877-3642 Fax: \_\_\_\_\_  
Email: john.schultz@directenergy.com; manu.asthana@directenergy.com

During the previous 36 months, have any criminal or regulatory sanctions been imposed for any senior officer of the ESCO applicant, its subsidiaries or its energy affiliates listed above?

YES  NO

If yes, please provide the following information:

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

## 2. Contact Information

### **Executive Contact (INFORMATION REQUIRED)**

**Please provide the contact information for the person designated as the Executive Contact:**

Name: Christopher Kallaher  
Title: Senior Director, Gov't & Regulatory Affairs  
Address: 162 Cypress Street  
City: Boston State: MA ZIP: 05445  
Telephone: 617-879-0668 Fax: 617-879-0661  
Email: chris.kallaher@directenergy.com

### **Regulatory Contact (INFORMATION REQUIRED)**

**THE REGULATORY CONTACT WILL RECEIVE ALL CORRESPONDENCE REGARDING COMPLIANCE FILINGS.**

**Please provide the contact information for the person designated as the Regulatory Contact:**

Name: Angela Schorr  
Title: Manager, Gov't & Regulatory Affairs  
Address: 574 Derby Drive South  
City: Oceanside State: NY ZIP: 11572  
Telephone: 516-536-6180 Fax: \_\_\_\_\_  
Email: angela.schorr@directenergy.com

### **Marketing Contact (INFORMATION REQUIRED)**

**Please provide the contact information for the person designated as the Marketing Contact:**

Name: David Roe  
Title: Head of Marketing  
Address: 194 Wood Avenue South  
City: Iselin State: NJ ZIP: 08830  
Telephone: 732-516-3050 Fax: \_\_\_\_\_  
Email: david.roe@directenergy.com

### **Public Information for Power to Choose Website (INFORMATION REQUIRED)**

Marketing web page: http://www.directenergybusiness.com  
Customer Service Email: customerrelations@directenergy.com  
Toll Free Number: 888-925-9115

### **Vendor Contact (IF APPLICABLE)**

Please provide the following contact information for vendors you intend to use (e.g., EDI):

Vendor Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
Contact Name: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

### **3. Eligibility Filing Requirements**

#### **REQUIRED OF NEW APPLICANTS AND THOSE COMPLETING TRIENNIAL COMPLIANCE ONLY**

**Incomplete Applications, including eligibility filing requirements, will not be processed**

The following must be provided with your completed application:

- Copy, and proof of acceptance, of your registration with the NYS Department of State
- Comprehensive copy of your standard Sales Agreement(s), including presentation of Customer Disclosure Statement
- Marketing Representative ID Badge
- Marketing Standards Quality Assurance Plan
- Sample forms of notices to be sent upon:
  - Assignment of sales agreements
  - Discontinuance of service
  - Transfer of 5000 or more customers to other providers
- Sample(s) of your billing format(s)
- Procedures you will use to obtain customer's authorization for historic usage and credit information
- Copies of informational and promotional materials used for mass marketing purposes
- HEFPA documents, if providing energy supply to residential customers
  - Residential Payment Agreement
  - Asset Evaluation
  - Budget Billing Plan
  - Quarterly Billing
  - Past Due Reminder
  - Notification to Social Services of Customer Inability to Pay
  - Final Termination Notice
  - Final Suspension Notice
- Internal procedures for the prevention of slamming or cramming
- A list of entities, including contractors and sub-contractors, that will market on behalf of your ESCO.
- Attestation that you will comply with the requirements of New York State's Environmental Disclosure Program, if you intend to serve electric customers
- NYS DPS Office of Consumer Services Service Provider Form

If any information required with this application package is not enclosed, please attach a detailed explanation, and when it will be provided.

**4. Identify the Types and Locations of Markets**

Place an “x” in the applicable cells of the table below to 1) designate the individual Utility retail access programs in which you participate, or intend to participate, and the customer market(s) in each program you serve, or intend to serve 2) indicate the commodities you offer, or intend to offer, in each service territory, and 3) indicate the billing options you offer, or intend to offer, in each territory.

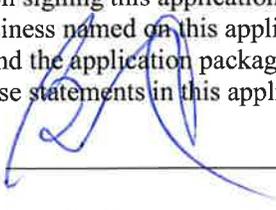
The designation “N/A” indicates that either a commodity or billing option is not available in a specific

Utility	Customer Markets		Commodity		Billing Options		
	Residential	Nonresidential	Natural Gas	Electricity	Utility Rate Ready Consolidated	Utility Bill Ready Consolidated	Single Retailer
Central Hudson		X	X	X	X	N/A	N/A
Con Edison		X	X	X	X	N/A	N/A
Coning NG				N/A	N/A	N/A	N/A
LIPA		X	N/A	X	N/A	N/A	N/A
Natl. Grid (Downstate)				N/A	N/A	X	N/A
Natl. Grid (Upstate)		X	X	X	X	N/A	N/A
NFG		X	X	N/A	X	N/A	
NYSEG		X	X	X	N/A	X	N/A
O&R		X	X	X	X	N/A	N/A
RG&E		X	X	X	N/A	X	N/A
St. Lawrence				N/A	N/A	N/A	N/A

service territory. Note that dual billing capability is required for all ESCOs and utilities.

**5. Signature**

The person signing this application attests to the following: that she or he is an owner, partner, or officer of the business named on this application, the answers and materials contained in this application package are true and the application package submitted is complete and accurate. An ESCO that knowingly makes false statements in this application package is subject to denial or revocation of eligibility.

Signature  \_\_\_\_\_ Print Name Bray Dohrwardt  
 Title Secretary - Direct Energy Business, LLC Date 5/31/16

## NEW YORK ESCO TRIENNIAL CHECKLIST

- Completed RAAF (including listing of entities with ownership interests; sanctions; contact info)
- NYS Dept of State Proof of Registration (if DBA: Assumed Name Certificate Required) **Exhibit A**
- Sales Agreements with Terms and Conditions and Disclosure Statement **Exhibit B**
- Sample Notices (UBP Section 5) **Exhibit C**
  - Assignment
  - Discontinuance
  - Transfer
- Sample ESCO Dual Bill (UBP Section 9) **Exhibit D**
- Procedures to authorize access to customer historical information (UBP Section 4) **Exhibit E**
- Sample copies of mass marketing promotional materials **Exhibit F**
- Procedures for prevention of slamming and cramming (UBP Definitions) **Exhibit G**
- A list of the entities, including contractors and sub contractors, that will market to customers on behalf of your ESCO. **Exhibit H**
- Trade Secret request (if applicable)
- Quality Assurance Program (must contain) **Exhibit I**
  - Description of training program (Note whether In-person or Telephonic)
  - Code of Conduct
  - Marketing representative identification badge
  - Monitoring program and quality assurance procedures
  - Internal dispute resolution process
- OCS Service Provider Contact Form **Exhibit J**
- HEFPA Documents (Residential Only)
  - Residential Payment Agreement
  - Asset Evaluation
  - Budget Billing Plan
  - Quarterly Billing
  - Past Due Reminder
  - Notification to Social Services of Customers Inability to Pay
  - Final Termination Notice
  - Final Suspension Notice
- Attestation to comply with the Environmental Disclosure Program (Electric Only) **Exhibit K**

Exhibit A

F 99111500 1334

CT-07

CT-07

APPLICATION FOR AUTHORITY

OF

STRATEGIC ENERGY, L.L.C.

UNDER SECTION 802 OF THE LIMITED LIABILITY COMPANY LAW

STATE OF NEW YORK  
DEPARTMENT OF STATE  
FILED NOV 15 1999  
TAX S \_\_\_\_\_  
BY: Par

NOV 12 12:11 PM '99

RECEIVED

Par

Reed, Smith, Shaw & McClay  
435 6th Ave  
Pittsburgh, PA 15219-0000

NOV 15 2:20 PM '99

4

99111500 1381

APPLICATION FOR AUTHORITY

OF

STRATEGIC ENERGY, L.L.C.

F991115001334  
CT-07

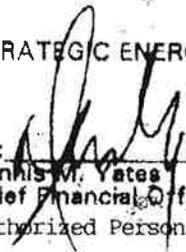
Under Section 802 of the Limited Liability Company Law

- FIRST: The name of the limited liability company is: Strategic Energy, L.L.C.
- SECOND: The jurisdiction of organization of the limited liability company is: Delaware. The date of its organization is: September 24, 1998.
- THIRD: The county within this state in which the office of the limited liability company is to be located is: Saratoga County.
- FOURTH: The secretary of state is designated as agent of the limited liability company upon whom process against it may be served. The post office address within this state to which the secretary of state shall mail a copy of any process against him or her is: c/o C T Corporation System, 111 Eighth Avenue, New York, NY 10011.
- FIFTH: The name and street address within this state of the registered agent of the limited liability company upon whom and at which process against the limited liability company can be served is: C T Corporation System, 111 Eighth Avenue, New York, NY 10011.
- SIXTH: The limited liability company is not required to maintain an office in the jurisdiction of its formation. The address of the principal office of the limited liability company is: Two Gateway Center, 9<sup>th</sup> Floor, Pittsburgh, Pennsylvania 15222.

SEVENTH: The limited liability company is in existence in its jurisdiction of formation at that time of the filing of this application.

EIGHTH: The name and address of the authorized officer in the jurisdiction of its formation where a copy of its certificate of formation is filed is:  
Delaware Secretary of State, John G. Townsend Building, Duke of York and Federal Streets, Dover, Delaware 19901.

STRATEGIC ENERGY, L.L.C.

By:   
Dennis W. Yates  
Chief Financial Officer/  
Authorized Person

2

State of Delaware  
Office of the Secretary of State

PAGE 1

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "STRATEGIC ENERGY, L.L.C." IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE EIGHTH DAY OF NOVEMBER, A.D. 1999.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN PAID TO DATE.



Edward J. Freel, Secretary of State

2945519 0300

991475121

3

AUTHENTICATION: 0070190

DATE: 11-08-99

TOTAL P. 02

FILING RECEIPT

=====

ENTITY NAME: DIRECT ENERGY BUSINESS, LLC

DOCUMENT TYPE: AMENDMENT (FOR LLC)  
NAME

COUNTY: SARA

=====

FILED:08/21/2008 DURATION:\*\*\*\*\* CASH#:080821000124 FILM #:080821000115

FILER:

-----

DARLENE WASNEY  
C/O DIRECT ENERGY  
TWO GATEWAY CENTER  
PITTSBURGH, PA 15222

ADDRESS FOR PROCESS:  
-----

REGISTERED AGENT:  
-----

=====

SERVICE COMPANY: CT CORPORATION SYSTEM - 07

SERVICE CODE: 07

FEE	120.00	PAYMENTS	120.00
FILING	60.00	CASH	0.00
TAX	0.00	CHECK	0.00
CERT	0.00	CHARGE	0.00
COPIES	10.00	DRAWDOWN	120.00
HANDLING	50.00	OPAL	0.00
		REFUND	0.00

=====

7331415LT

DOS-1025 (04/2007)

***STATE OF NEW YORK***  
***DEPARTMENT OF STATE***

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.



WITNESS my hand and official seal of the Department of State, at the City of Albany, on August 21, 2008.

*Paul LaPointe*

Paul LaPointe  
Special Deputy Secretary of State

CT-07

080821000 115

New York State  
Department of State  
Division of Corporations, State Records  
and Uniform Commercial Code  
Albany, NY 12231  
www.dos.state.ny.us

CERTIFICATE OF AMENDMENT  
OF

STRATEGIC ENERGY, L.L.C.

*(Insert name of Foreign Limited Liability Company)*

Under Section 804 of the Limited Liability Company Law

FIRST: The name of the limited liability company as it appears on the index of names in the Department of State is: STRATEGIC ENERGY, L.L.C.

If applicable, the fictitious name the foreign limited liability company has agreed to use in this state is:

SECOND: The jurisdiction of organization of the limited liability company is:

DELAWARE

THIRD: The date on which its application for authority to do business in this state was filed with the Department of State is: NOVEMBER 15, 1999

FOURTH: The application for authority is amended as follows (if the true name of the foreign limited liability company is to be changed, set forth a statement that the change of name has been effected under the laws of the jurisdiction of its formation and the date the change was so effected):

(A) Paragraph 1 of the Application for Authority is amended to read as follows:

A FILING HAS BEEN MADE IN THE STATE OF DELAWARE TO CHANGE THE NAME OF THE LIMITED LIABILITY COMPANY TO DIRECT ENERGY BUSINESS, LLC EFFECTIVE SEPTEMBER 1, 2008.

(B) Paragraph of the Application for Authority is amended to read as follows:

X   
*(Signature)*

LISA DELSANTE

*(Type or print name)*

Authorized Person

*(Title of signer)*

CT-07

080821000 115

CERTIFICATE OF AMENDMENT  
OF

STRATEGIC ENERGY, L.L.C.

*(Insert name of Foreign Limited Liability Company)*

Under Section 804 of the Limited Liability Company Law

1cc

STATE OF NEW YORK  
DEPARTMENT OF STATE

FILED AUG 21 2008

TAX \$             
BY:           

FILED  
2008 AUG 21 AM 9:14

Filed by:

DARLENE WASNEY

*(Name)*

c/o Direct Energy; Two Gateway Center

*(Mailing address)*

Pittsburgh, PA 15222

*(City, State and Zip code)*

NOTE: This form was prepared by the New York State Department of State for filing a certificate of amendment for a foreign limited liability company. It does not contain all optional provisions under the law. You are not required to use this form. You may draft your own form or use forms available at legal supply stores. The Department of State recommends that legal documents be prepared under the guidance of an attorney. The certificate must be submitted with a \$60 filing fee made payable to the Department of State.

124

*(For office use only)*

Cost Ref: 7331415LT

**DRAWDOWN**

-2-

2008 AUG 20 PM 4:07

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# NYS Department of State

## Division of Corporations

### Entity Information

The information contained in this database is current through June 6, 2016.

---

Selected Entity Name: DIRECT ENERGY BUSINESS, LLC

Selected Entity Status Information

**Current Entity Name:** DIRECT ENERGY BUSINESS, LLC

**DOS ID #:** 2439721

**Initial DOS Filing Date:** NOVEMBER 15, 1999

**County:** NEW YORK

**Jurisdiction:** DELAWARE

**Entity Type:** FOREIGN LIMITED LIABILITY COMPANY

**Current Entity Status:** ACTIVE

Selected Entity Address Information

**DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)**

C/O CORPORATE CREATIONS NETWORK INC.

15 NORTH MILL STREET

NYACK, NEW YORK, 10960

**Registered Agent**

CORPORATE CREATIONS NETWORK INC.

15 NORTH MILL STREET

NYACK, NEW YORK, 10960

This office does not require or maintain information regarding the names and addresses of members or managers of nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address(es) of the original members, however this information is not recorded and only available by [viewing the certificate.](#)

**\*Stock Information**

# of Shares	Type of Stock	\$ Value per Share
No Information Available		

\*Stock information is applicable to domestic business corporations.

**Name History**

Filing Date	Name Type	Entity Name
AUG 21, 2008	Actual	DIRECT ENERGY BUSINESS, LLC
NOV 15, 1999	Actual	STRATEGIC ENERGY, L.L.C.

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

[Search Results](#)

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[Services/Programs](#) | [Privacy Policy](#) | [Accessibility Policy](#) | [Disclaimer](#) | [Return to DOS Homepage](#) | [Contact Us](#)

Exhibit B - Redacted

Exhibit C



## NOTICE OF ASSIGNMENT

Customer Name \_\_\_\_\_ For Service at: \_\_\_\_\_  
Customer Account Number \_\_\_\_\_

**PLEASE TAKE NOTICE** that, on \_\_\_\_\_ [Effective Date]\_, Direct Energy Business, LLC will assign its Contract with \_\_\_\_\_ (Customer), dated \_\_ (original date of contract)\_\_\_\_\_, to \_\_\_\_\_, as provided for in that Contract. You have the right to either select a different supplier or return to full service with your utility. If you take no action, your service will be assigned to the supplier identified above on the specified date. There will be no changes in the price, terms or conditions of service as set forth in Your Contract with Direct Energy Business, LLC as a result of this assignment.

Direct Energy Business, LLC



Customer Name

Address

City, ST ZIP

**NOTICE OF DISCONTINUANCE**

Date

Dear

Notice is hereby given that under the terms of the Sales Agreement (“Agreement”) entered into between Customer and Direct Energy Business, LLC, service pursuant to said Agreement shall be discontinued as of MM/DD/YYYY (Not less than 15 calendar days’ after date of letter) and that Direct Energy Business, LLC will have no obligation to provide service after that date.

Customer has the option to select another Energy Services Company (“ESCO”) or receive full utility service from the Local Distribution Company (“LDC”).

Until Customer selects a new ESCO, or until the change in providers is effective, Customer will receive full utility service from the LDC unless the LDC notifies Customer that it will suspend its delivery service on or before the discontinuance date.

If you have any questions, please call us toll-free at 1-866-XXX-XXXX.

Sincerely,

Direct Energy Business, LLC



Customer Name

Address

City, ST ZIP

Date

**NOTICE OF TRANSFER OF 5000 OR MORE CUSTOMERS**

Dear

Notice is hereby given that pursuant to the section entitled "Assignment" of the Sales Agreement ("Agreement") entered into between Customer and Direct Energy Business, LLC, all of Direct Energy Business, LLC rights, interests and obligations under said Agreement have been assigned and transferred to: [name and contact info of assignee].

This assignment will be effective as of MM/DD/YYYY (Not less than 15 calendar days' after date of letter).

[Explain changes, if any, to Agreement under new assignee]

If you have any questions, please call [assignee] toll-free at 1-866-XXX-XXXX.

Sincerely,

Direct Energy Business, LLC

Exhibit D



**ACCESS YOUR INVOICES ONLINE AT MYACCOUNT.DIRECTENERGY.COM**

**BILLING ADDRESS**  
 Company Name  
 123 10th Avenue  
 NEW YORK, NY 10019

**SERVICE LOCATION INFORMATION**  
 Direct Energy  
 Customer#/Account#: 111111/222222  
 Service Location: 123 W 52 ST 1FL  
 NEW YORK, NY 10019

**Phone**  
 1-800-437-7265

**Fax**  
 1-866-239-5671

**Email**  
 QCSTeam@directenergy.com

**Web**  
 myaccount.directenergy.com

**Hours**  
 Mon-Fri 8am-5pm

**INVOICE INFORMATION**  
 Invoice Date: 04/26/2016  
 Invoice #: H16XXXXXX  
 Payment Due Date: 05/16/2016  
 Payment Terms: Net 20 Days  
 Payment Method: Check

**ACCOUNT INFORMATION**  
 Utility Name: Consolidated Edison  
 Pool/Point: CONED DCQ Pool  
 Utility Account #: [REDACTED]

**NEW CHARGES**

Natural Gas Deliveries	Deal ID	Purchase Order #	Date From - To	Volume	UOM	Unit Price	Total
Commodity	1702678		03/25/2016 03/31/2016	12.18	MMBTU	\$3.351	\$40.82
Commodity	1702678		04/01/2016 04/22/2016	38.28	MMBTU	\$3.543	\$135.63
County Sales Tax NEW YORK						4.5000%	\$7.94
County Transit Tax NEW YORK						0.3750%	\$0.66
State Sales Tax NY						4.0000%	\$7.06
<b>Total Charges:</b>							<b>\$192.11</b>

----- PLEASE TEAR AT PERFORATION AND RETURN WITH YOUR PAYMENT -----

**THANK YOU FOR CHOOSING DIRECT ENERGY BUSINESS AS YOUR ENERGY SUPPLIER**

Customer Name: Company Name  
 Direct Energy Customer #/Account #: 111111/222222  
 Invoice #: H16XXXXXX

**Amount Due: \$192.11**  
 Payment Due Date: 05/16/2016

**Check Remittance To:**  
 Direct Energy Business  
 P.O. Box 32179  
 New York, NY 10087-2179

*For Internal Use Only*

DIREC

Please Reference Invoice Number with Payment

## CONTACT US

Phone: 1-800-437-7265  
Hours  
Fax: 1-866-239-5671 Mon - Fri 8am - 5pm  
Email: QCSTeam@directenergy.com  
Web: myaccount.directenergy.com

## REMIT PAYMENT TO

DIRECT ENERGY BUSINESS  
P.O. BOX 905243  
CHARLOTTE, NC 28290-5243

## COMMONLY ASKED QUESTIONS

### Q: Who will read my meter and when will it be read?

A: The utility company is still responsible for reading your meter. The timing is based on the specific utility company's procedures.

### Q: Why is the usage amount on my bill different than the usage amount on the utility company bill?

A: DEB bills on city gate volume. The utility bill is based on meter readings (burner tip) at your location. The difference, utility line loss, is set by and varies by utility. Line loss was previously included by the utility in your local pricing. Line loss is a regulated charge based on percentages determined by each utility to compensate for the utility's pipeline system loss.

### Q: Now that I have chosen DEB as my natural gas/electricity marketer how will my service change?

A: The only difference you should see is in billing. DEB will charge you for the commodity, while the utility (LDC/EDC) will charge you for distribution/transportation. There should be no other changes in your gas/electric service. The utility will still read your meter and you should still call the utility in the event of an emergency.

### Q: Do I have to sign an agreement?

A: Yes. DEB will not sell natural gas/electricity to anyone without a signed agreement. This is to protect you as well as us. Customers should not purchase any commodity from a marketer without an agreement because they will be at risk for penalties should the supplier fail to live up to obligations.

### Q: When and how often will I be billed?

A: Initially, there may be up to a two month delay from the time you enroll or start to receive service to the time you receive your first bill. This is due to timing with the utility company enrollment requirements. You can expect a monthly invoice thereafter.

### Q: Can I be changed to another marketer without my consent?

A: No. Deregulation laws contain strong consumer protection features that prohibit "slamming". There are severe penalties for marketers who engage in this practice. Slamming is the involuntary switching of a customer from one supplier to another.

### Q: What are GSA charges/credits?

A: Gas Settlement Adjustment (GSA) either credits or debits your account for the value of natural gas usage that differs from your contracted quantity.

## DEFINITIONS

**Board of Public Utilities** State agency responsible for regulating local utility companies (may also be called Public Service Commission).

**Burner Tip** Point where natural gas is ultimately used by the customer (the meter).

**CCF** 100 cubic feet of gas. This is a measure of gas usage.

**City Gate** Physical connection of an interstate pipeline and the pipeline of the local natural gas utility.

**Commodity Charge** The cost of natural gas/electricity provided to you during the billing period.

**Distribution Utility (LDC/EDC)** A retail natural gas/electricity distribution company that delivers natural gas/electricity to end-users.

**Kilowatt (kW)** One thousand (1,000) watts. A unit of measure of the amount of electricity needed to operate given equipment.

**Kilowatt-hour (kWh)** The most commonly used unit measure telling the amount of electricity consumed over time. It means one kilowatt of electricity supplied for one hour.

**Line Loss** The difference between the amount of commodity (natural gas) brought to the city gate, versus the amount of commodity usage reported at the meter (burner tip). Line loss was previously included by the utility in your total pricing. Line loss is a regulated charge based on percentages determined by each utility to compensate for the utility's pipeline system loss.

**Local Distribution Company (LDC/EDC) charges** The fee assessed by the local utility for delivery of natural gas/electricity to the customer's home or business through utility's distribution lines. In most cases this charge is billed separately by the utility.

**Meter** A device for measuring levels and volumes of a customer's natural gas and electricity usage. The local utility retains responsibility for reading and maintaining these meters.

**MMBTU** Million British thermal units, which is a heating equivalent measure for natural gas and is an alternative measure of natural gas reserves.

**No Utility Data Available** If this appears on your bill, we were unable to obtain usage data for your meter from the local utility company. Your next bill will show usage data for this unread period and the next reading period.

**Therm** One hundred thousand (100,000) British thermal units (1 Therm = 100,00 Btu).

IF YOU SUSPECT A NATURAL GAS LEAK OR SMELL GAS DIAL 9-1-1 OR CONTACT YOUR LOCAL UTILITY DISTRIBUTION COMPANY

**Myaccount.directenergy.com** has a multitude of features and tools for you, making account management easier than ever before. The online Customer Center never closes, giving you the chance to manage your account and obtain energy information and insight at your own convenience. Listed below are a few of the benefits customers are currently receiving online:

- User-friendly access to your account 24/7.
- View current invoices before you receive them in the mail or retrieve historic invoices.
- Direct access to your account balance.
- Exclusive access to Direct Energy Business 'expert traders and product specialists' take on the market.
- And more.

VISIT MYACCOUNT.DIRECTENERGY.COM TO GET STARTED TODAY



**BEMUS POINT, NY 14712-9300**

Account Number: [Redacted]  
Invoice Number: [Redacted]  
Billing Date: March 31, 2016  
Page 1

**ACCOUNT SUMMARY INFORMATION**

Questions about your bill?  
Need a copy of your Terms of Service Document?  
Contact Direct Energy Business  
Customer Relations at  
CustomerRelations@DirectEnergy.com,  
or call us at 1-888-925-9115.

According to the terms contained in your energy service agreement with Direct Energy, if you end your service prior to the end of your agreement term, you may be charged an early termination fee. Please refer to your energy service agreement for details.

Previous Balance	\$80.63
Payment Received - Thank You	-\$80.63
<b>Total Balance Forward</b>	<b>\$0.00</b>
Adjustments	\$0.00
Current Usage Charges	\$76.73
Tax Charges	\$6.14
<b>Total Current Charges</b>	<b>\$82.87</b>

Last Payment Received - 03/18/16

**Total Amount Due** \$82.87

We are pleased to offer free online and over the phone bill payment options. Visit our Customer Service Center at [www.DirectEnergyBusiness.com](http://www.DirectEnergyBusiness.com) to pay your bill online or 1-888-329-7906 to pay by phone.

Enroll in paperless billing today and help reduce your carbon footprint at [business.directenergy.com/paperless](http://business.directenergy.com/paperless).

Detach here and return this portion with check or money order. Do not staple or fold.



Account Number [Redacted]  
Due Date **April 20, 2016**  
Total Due **\$82.87**

Amount Enclosed \$

Please write your account number on your check or money order made payable to Direct Energy Business.



[Redacted]  
**BEMUS POINT, NY 14712-9300**

500000000000000000000013410972016042000000082876



Account Number:  
Invoice Number:  
Billing Date:

March 31, 2016  
Page 2

**GENERAL INFORMATION**

In the event that the Term of your Agreement has expired, your account will be invoiced at a Market Based Rate or MCPE rate. Please refer to your agreement for additional information.

Your bill is for the electric ESCO services supplied by Direct Energy Business. For questions or concerns relating to this bill, please call Direct Energy Business's Customer Relations Department at: 1-888-925-9115 or email us at [CustomerRelations@DirectEnergy.com](mailto:CustomerRelations@DirectEnergy.com).

**8 AM - 6 PM EST, Monday through Friday**  
**CustomerRelations@DirectEnergy.com**  
**Phone: 1-888-925-9115**  
**Fax: 1-866-421-0257**

If mailing correspondence, please forward to  
**Direct Energy Business**  
**Attn: Customer Relations**  
**1001 Liberty Avenue**  
**Pittsburgh, PA 15222**

Please note: Consolidated Edison (ConEd) provides total kWh and ICAP totals. Current and previous meter read information may also be provided. If not provided, please refer to your ConEd bill for distribution services for this information.

Delivery problems such as power outages are typically due to problems with local distribution facilities. For service problems call the utility's 24-hour service center at: Niagara Mohawk 1-800-867-5222.

**TERMS AND DEFINITIONS**

Late payment: The charges for payment of a bill after the payment due date. Late payment charges may apply. See your contract for specific details.

Installed Capacity Charges: A Generator or Load facility that complies with the requirements in the Reliability Rule and is capable of supplying and/or reducing the demand for Energy in the NYCA (New York Control Area) for the purpose of ensuring that sufficient Energy and Capacity are available to meet the Reliability Rule. The Installed Capacity requirement, established by the NYSRC (New York State Reliability Council), includes a margin of reserve in accordance with the Reliability Rules.

If Installed Capacity (ICAP) charges are reflected on your bill, these charges are based on your capacity obligation, which is designated by the New York Independent System Operator (NYISO). ICAP charges are prorated based on the number of calendar days in the month resulting in multiple ICAP line items.

For more information regarding Installed Capacity, including a background, an explanation and sample cost calculations, please visit Direct Energy Business's website at [www.DirectEnergy.com](http://www.DirectEnergy.com) and select the state of New York.

If your questions have not been fully resolved after speaking with a Direct Energy Business Customer Service Representative, you may contact the New York Public Service Commission toll free at 1-800-342-3377 or by fax at 516-486-7868. Persons who are hearing or speech impaired can reach the hotlines through a TDD by calling toll free at 1-800-662-1220.

**Change of Address?**

Please contact the Direct Energy Business Customer Relations team at:

Direct Energy Business  
Attn: Customer Relations  
1001 Liberty Avenue  
Pittsburgh, PA 15222  
Fax: 1-866-421-0257 OR Phone 1-888-925-9115

**Please Remit to:**



**Direct Energy Business**  
**P.O. Box 70220**  
**Philadelphia, PA 19176-0220**



Account Number:  
Invoice Number:  
Billing Date:

[Redacted]  
[Redacted]  
March 31, 2016  
Page 3

**YOUR SERVICE CHARGES**

[Redacted]

Store Number :

PO #:

**Direct Energy Business  
Electric Service**

**Meter#**

Service Period February 26, 2016 to March 28, 2016 Actual-Total  
Meter Multiplier of

3.0888 kW ICAP

**Meter# UNKNOWN**

Service Period February 26, 2016 to March 28, 2016 Actual-Total  
Meter Multiplier of

882 kWh

*February 26, 2016 to March 28, 2016*

Fixed Price - 882 kWh Total @ \$0.087/kWh

\$76.73

County Sales Tax - 0% Exempt

\$3.07

State Sales Tax - 0% Exempt

\$3.07

Current Actual Charges

\$82.87

**TOTAL CHARGES FOR EDC.#**

**\$82.87**



BILLING ADDRESS

ABC Company
Attn: Accounts Payable
Suite 12
123 Main Street
New York, NY 10101-0000

CONTACT US

Phone: 1-800-437-7265
Hours: Mon - Fri 8am - 5pm
Fax: 1-866-239-5671
Email: QCSTeam@directenergy.com
Web: www.business.directenergy.com

MESSAGE CENTER

INVOICE INFORMATION

Invoice Number: ES14123456
Invoice Date: 01 / 03 / 2014
Due Date: 01 / 28 / 2014
Payment Terms: Net 25 Days
Payment Method: Check
Direct Energy Customer #: 500001 / 3000

USAGE CHART



BILLING SUMMARY

Prior Balance: \$4,383.83
Payment Received: (\$4,383.83)
Current Charges: \$5,197.73
Total Amount Due: \$5,197.73

Please tear at perforation and return with your payment



PAYMENT SLIP

Please make checks payable to Direct Energy Business and reference invoice number with payment.

Direct Energy Customer #: 500001 / 3000
Due Date: 01 / 28 / 2014
Total Amount Due: \$5,197.73
Amount Enclosed:

Invoice Number: ES14123456

ABC Company
Attn: Accounts Payable
Suite 12
123 Main Street
New York, NY 10101-0000

For Direct Energy Business Use Only

## CONTACT US

Phone: 1-800-437-7265  
Fax: 1-866-239-5671  
Email: QCSTeam@directenergy.com  
Web: www.business.directenergy.com

Hours  
Mon - Fri 8am - 5pm

## REMIT PAYMENT TO

DIRECT ENERGY BUSINESS  
P.O. BOX 905243  
CHARLOTTE, NC 28290-5243

## COMMONLY ASKED QUESTIONS

### Q: Who will read my meter and when will it be read?

A: The utility company is still responsible for reading your meter. The timing is based on the specific utility company's procedures.

### Q: Why is the usage amount on my bill different than the usage amount on the utility company bill?

A: DEB bills on city gate volume. The utility bill is based on meter readings (burner tip) at your location. The difference, utility line loss, is set by and varies by utility. Line loss was previously included by the utility in your local pricing. Line loss is a regulated charge based on percentages determined by each utility to compensate for the utility's pipeline system loss.

### Q: Now that I have chosen DEB as my natural gas/electricity marketer how will my service change?

A: The only difference you should see is in billing. DEB will charge you for the commodity, while the utility (LDC/EDC) will charge you for distribution/transportation. There should be no other changes in your gas/electric service. The utility will still read your meter and you should still call the utility in the event of an emergency.

### Q: Do I have to sign an agreement?

A: Yes. DEB will not sell natural gas/electricity to anyone without a signed agreement. This is to protect you as well as us. Customers should not purchase any commodity from a marketer without an agreement because they will be at risk for penalties should the supplier fail to live up to obligations.

### Q: When and how often will I be billed?

A: Initially, there may be up to a two month delay from the time you enroll or start to receive service to the time you receive your first bill. This is due to timing with the utility company enrollment requirements. You can expect a monthly invoice thereafter.

### Q: Can I be changed to another marketer without my consent?

A: No. Deregulation laws contain strong consumer protection features that prohibit "slamming". There are severe penalties for marketers who engage in this practice. Slamming is the involuntary switching of a customer from one supplier to another.

### Q: What are GSA charges/credits?

A: Gas Settlement Adjustment (GSA) either credits or debits your account for the value of natural gas usage that differs from your contracted quantity.

## DEFINITIONS

**Board of Public Utilities** State agency responsible for regulating local utility companies (may also be called Public Service Commission).

**Burner Tip** Point where natural gas is ultimately used by the customer (the meter).

**CCF** 100 cubic feet of gas. This is a measure of gas usage.

**City Gate** Physical connection of an interstate pipeline and the pipeline of the local natural gas utility.

**Commodity Charge** The cost of natural gas/electricity provided to you during the billing period.

**Distribution Utility (LDC/EDC)** A retail natural gas/electricity distribution company that delivers natural gas/electricity to end-users.

**Kilowatt (kW)** One thousand (1,000) watts. A unit of measure of the amount of electricity needed to operate given equipment.

**Kilowatt-hour (kWh)** The most commonly used unit measure telling the amount of electricity consumed over time. It means one kilowatt of electricity supplied for one hour.

**Line Loss** The difference between the amount of commodity (natural gas) brought to the city gate, versus the amount of commodity usage reported at the meter (burner tip). Line loss was previously included by the utility in your total pricing. Line loss is a regulated charge based on percentages determined by each utility to compensate for the utility's pipeline system loss.

**Local Distribution Company (LDC/EDC) charges** The fee assessed by the local utility for delivery of natural gas/electricity to the customer's home or business through utility's distribution lines. In most cases this charge is billed separately by the utility.

**Meter** A device for measuring levels and volumes of a customer's natural gas and electricity usage. The local utility retains responsibility for reading and maintaining these meters.

**MMBTU** Million British thermal units, which is a heating equivalent measure for natural gas and is an alternative measure of natural gas reserves.

**No Utility Data Available** If this appears on your bill, we were unable to obtain usage data for your meter from the local utility company. Your next bill will show usage data for this unread period and the next reading period.

**Therm** One hundred thousand (100,000) British thermal units (1 Therm = 100,000 Btu).

**IF YOU SUSPECT A NATURAL GAS LEAK OR SMELL GAS DIAL 911 OR CONTACT YOUR LOCAL UTILITY DISTRIBUTION COMPANY**

**Business.directenergy.com** has a multitude of features and tools for you, making account management easier than ever before. The online Customer Center never closes, giving you the chance to manage your account and obtain energy information and insight at your own convenience. Listed below are a few of the benefits customers are currently receiving online:

- User-friendly access to your account 24/7
- Personalized dashboards containing an overview of your account
- Manage multiple accounts under one separate profiles
- View current invoices before you receive them in the mail or retrieve historic invoices
- Compare your usage over time
- Direct access to your account balance
- Exclusive access to Direct Energy Business' expert traders and product specialists' take on the market
- And more.

**VISIT WWW.BUSINESS.DIRECTENERGY.COM TO GET STARTED TODAY.**



**CONTACT US**

**Phone:** 1-800-437-7265      **Hours**  
**Fax:** 1-866-239-5671      Mon – Fri 8am – 5pm  
**Email:** QCSTeam@directenergy.com  
**Web:** www.business.directenergy.com

**BILLING DETAIL**

Service Period from 12/04/2013 to 01/03/2014

<b>ShipTo:</b> 222222 <b>Utility Name:</b> Consolidated Edison <b>Delivery Zone:</b> Con Edison Zone H <b>Utility Acct #:</b> 5000000000000000 <b>Service To:</b> 123 Main Street New York, NY 10101-0000	<b>Energy</b>  NY Gross Receipts Tax NY State Sales Tax NY County Sales Tax NY County Local Sales Tax	<b>USAGE</b> 76,800     <b>UNITS</b> KWh     <b>UNIT PRICE</b> \$0.062400     <b>AMOUNT</b> \$4,792.32 \$48.41 \$193.63 \$145.22 \$18.15	<b>SubTotal</b>      <b>Total</b>	<b>\$5,197.73</b>
--	--	---	---	-------------------

**Total for Service Period: \$5,197.73**

## Exhibit E



### **Customer Authorization for Historic Usage and Credit**

Direct Energy Business, LLC submits historical usage requests after the customer provides authorization via Electronic Data Interchange or in some instances using webscrape functionality. Currently, Direct Energy Business, LLC runs credit checks on all customers prior to contracting with them if Direct Energy Business, LLC is going to be the billing agent. The customers DUNS number and DNBI information is used as a basis for their credit rating.

## Exhibit F

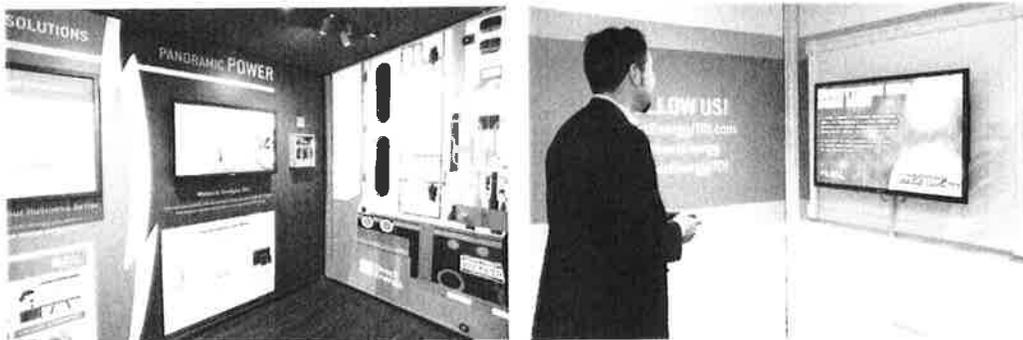
# TAKING ENERGY IN NEW DIRECTIONS



Check out our latest tools and tech like Panoramic Power® and walk through our one-of-a-kind Innovation to Inspiration Tour mobile exhibit.

JOIN US AT BUILDINGSNY 2016 • BOOTH #973

Everyone wants to use less energy and reduce costs. Direct Energy Business has the innovative tools and advanced technology that can help you get there.



LEARN MORE AT  
[directenergybusiness.com](http://directenergybusiness.com)

 **Direct Energy**  
Business



**Direct  
Energy**  
Business

## Smart Energy Strategies for Every Square Foot



You're driven to maximize profit for every square foot of the properties you operate. And, with energy potentially taking up a New York-sized part of your operating costs, that's easier said than done.

At Direct Energy Business, we know New York real estate. We know how to implement smart energy strategies that reduce costs and create efficiencies in your properties to help you buy less of what we sell.

Talk to us today and we'll show you how.

Robert W. Welch  
Senior Sales Manager  
732.516.3273  
robert.welch@directenergy.com

Tim Connors  
Sales Manager  
516.404.2027  
timothy.connors@directenergy.com

Nancy Gardner  
Senior Indirect Sales Manager  
732.516.3253  
nancy.gardner@directenergy.com

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[directenergybusiness.com](http://directenergybusiness.com)

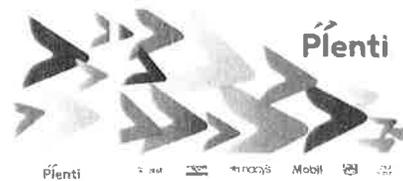


ONE ENERGY  
CHOICE.  
PLENTI OF  
REWARDS.

We think it's about time you started being rewarded for using less. And now that Direct Energy is the exclusive energy partner of Plenti, you finally can. Plenti is a rewards program that lets you earn points at one place and use them at another. Join for free and start earning points at AT&T, Exxon, Macy's, Mobil, Rite Aid and more.

#### HOW IT WORKS:

- Earn Plenti points on the things you buy every day at Plenti partners and hundreds of online retailers.
- Boost your Plenti points balance with special weekly offers.
- Use points for savings at checkout with certain Plenti partners. For example, 1,000 Plenti points is at least \$10 off!



# NEW YORK

You're almost finished signing up with Direct Energy.

Just answer these simple verification questions about your enrollment.

Please respond to the following questions with a clear "YES" or "NO."



- Has the agent left your home?
- Are you the account holder?
- Are you the account holder's spouse?



- Did the sales agent provide you with Direct Energy's contact information?



- Did the Direct Energy sales agent provide you with a copy of the sales agreement, which you signed, as well as leave you a copy of the New York ESCO Customer Bill of Rights?
- Do you agree to these terms of service as reviewed with you by the Direct Energy sales agent today?
- To ensure accurate billing and eligibility, Direct Energy must obtain your customer information from your local utility. This may include past energy usage, account numbers, billing details and other utility account information. You can rescind the information release anytime via phone or via email. Do you authorize this information to be released to Direct Energy now and while you are a Direct Energy customer?



New York

# NEW YORK



- Do you own or rent your home?
- Do you understand you will continue to receive a monthly bill from your local utility containing their delivery charges, all applicable taxes and a separate line item showing Direct Energy's name and price for commodity supply?

## LIVE BRIGHTER PLAN

Direct Energy will provide electricity generation service or natural gas supply at a fixed rate of \_\_\_\_\_ cents per \_\_\_\_\_ for \_\_\_\_\_ monthly billing cycles with a cancellation fee of \$ \_\_\_\_\_. This rate excludes applicable sales tax and utility charges. Do you understand?

### Dual Fuel

Direct Energy will provide natural gas service at a fixed rate of \_\_\_\_\_ cents per CCF or \_\_\_\_\_ cents per therm for \_\_\_\_\_ monthly billing cycles with a cancellation fee of \$ \_\_\_\_\_ and your electricity generation service at a fixed rate of \_\_\_\_\_ cents per kWh for \_\_\_\_\_ monthly billing cycles with a cancellation fee of \$ \_\_\_\_\_. These rates exclude applicable sales tax and utility charges. Do you understand?



Direct  
Energy

New York

# NEW YORK

## PLENTI PROGRAM

### Single-Fuel Plenti

Upon successful enrollment of your electric and/or natural gas account with Direct Energy, you will receive 5,000 Plenti points within 5 days from your service start date. In order to receive your points, you must provide Direct Energy your Plenti card number within 30 days. Direct Energy will provide \_\_\_\_\_ service at a fixed rate of \_\_\_\_\_ cents per \_\_\_\_\_ for \_\_\_\_\_ monthly billing cycles with a cancellation fee of \$\_\_\_\_\_. This rate excludes applicable sales tax and utility charges. Do you understand?

### Dual-Fuel Plenti

Upon successful enrollment of your natural gas and electric accounts with Direct Energy, you will receive 10,000 promotional Plenti points within 5 days from your service start date. In order to receive your points, you must provide Direct Energy your Plenti card number within 30 days. Direct Energy will provide natural gas service at a fixed rate of \_\_\_\_\_ cents per \_\_\_\_\_ for \_\_\_\_\_ monthly billing cycles with a cancellation fee of \$\_\_\_\_\_ and your electricity generation service at a fixed rate of \_\_\_\_\_ cents per kWh for \_\_\_\_\_ monthly billing cycles with a cancellation fee of \$\_\_\_\_\_. These rates exclude applicable tax and utility charges. Do you understand?



New York

# NEW YORK

## ALL PLANS

After the initial term, your service will automatically renew on a month-to-month basis at a variable rate as explained in your agreement. You may also contact Direct Energy to discuss available renewal options. Do you understand?

You are allowed three business days from today to change your mind and cancel this agreement without penalty.

If you change your mind, you may call Direct Energy, and you will be provided with a cancellation number to confirm your decision. Or mail a copy of the rescission notice attached to your agreement.

The verifier will confirm your name, telephone number, account number, service and billing address, and email address.

## PROTECTION PLAN

Congratulations! You are eligible to receive a free 6-month trial of Direct Energy's Heating and Cooling Maintenance Essentials Plan. The free trial activates following your successful energy enrollment, and a written copy of the details will be mailed to your home. This trial is provided by Home Warranty of America, Inc., a Direct Energy company. Prior to expiration of the free trial, we will contact you to discuss additional protection that may interest you. This promotion can be added automatically to your energy enrollment with approval. Would you like this complimentary benefit?



New York

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WAY TO BUY ENERGY.  
BUY LESS OF IT.**

Your retail energy provider should be showing you how you can use less energy. Yes, less.

At Direct Energy Business, we deliver smarter energy strategies that help our manufacturing customers actually buy less of what we sell.

For more information, contact your dedicated Direct Energy Business Representative:

Kelly Douvlis  
845.897.3661

[Kelly.Douvlis@directenergy.com](mailto:Kelly.Douvlis@directenergy.com)

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DEB-0292-2016

Direct Energy Business is developing  
special electricity and natural gas products  
just for you, New York.



# Just for you, New York

Direct Energy Business is developing special electricity and natural gas products



# VIEW BUSINESS ENERGY RATES

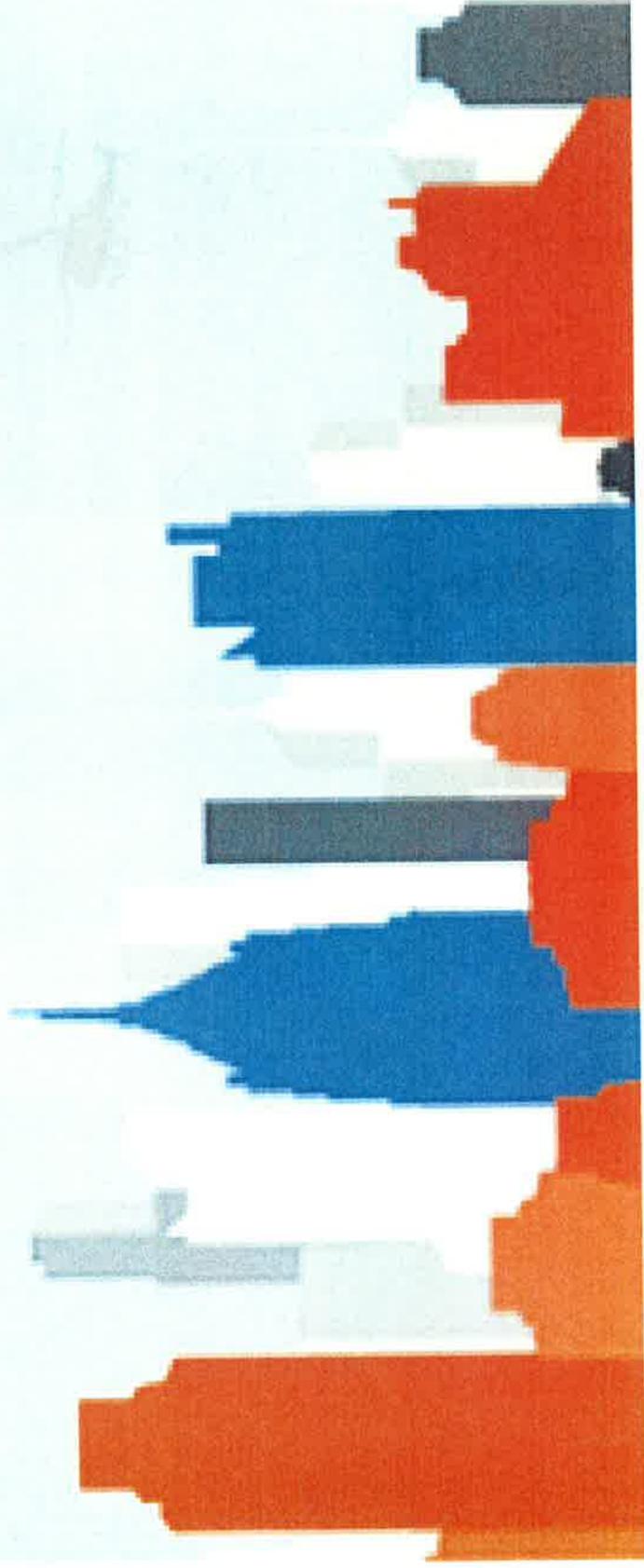
Competitive Gas and Electricity Prices are Just a Click Away.

CALL TO ACTION! >



**62% OF THE FORTUNE 100®  
BUY LESS OF WHAT WE SELL**

**Energy strategies for large businesses**



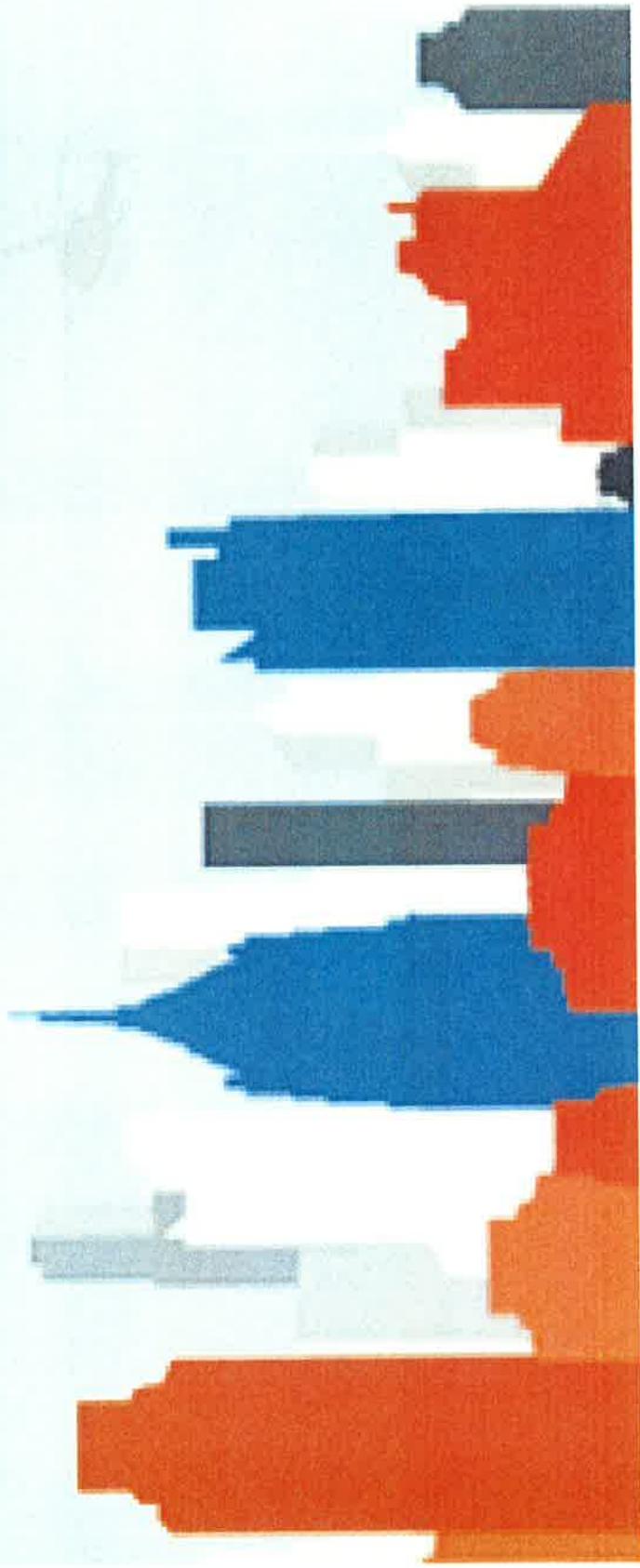
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Energy strategies for large businesses



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Business



PRODUCTS & SOLUTIONS

MARKET INSIGHTS

LEARN

ABOUT US

MYACCOUNT LOGIN

Home > Small Business >

Direct Energy Business is developing special electricity and natural gas products just for you, New York.



### Frequently Asked Questions

#### Why Can't I Enroll or Renew Online?

We don't currently have offers available for new service in New York due to changing requirements for supplier service programs. We are working to introduce new plans that bring value to our small business customers. Check back online or leave your email address for us and we will alert you as soon as products are available for enrollment.

#### When will you have rate plans available for new customers interested in power or gas plans?

We intend to have new plans available for service in New York within the next 30 days.

Check back online or leave your email address for us and we will alert you as soon as products are available for enrollment

#### Can I enroll my New York home in an energy plan?

We are offering residential plans in New York.

To learn more, visit [directenergy.com](http://directenergy.com)

Sign up to get notified when our new plans go into effect for New York.

Email Address

SUBMIT >



Products & Solutions  
Request a Callback  
Energy for Your Home

Market Insights  
Understanding Energy

Contact Us  
FAQs  
Outages & Emergencies

Who We Are  
Why Choose Us  
Service Areas

Privacy & Legal | Careers | Site Map



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Smart Energy Name:

Password:

Remember my login name

Your Contract End Date is in Sight

Now... may see a good time to discuss your renewal options.

View All News

[CLICK TO BE CONTACTED](#)

Smart Energy Name:

Password:

Remember my login name

5 Minutes with Direct Energy  
President and CEO Badar Khan

Find out why he thinks the company's achievements will bring us on the cover of *TIME* magazine.

[Check the Video to Watch](#)



Smart Energy Name:

Password:

Remember my login name

Energy Solutions for  
Commercial Real Estate (CRE)

You'll be sold on our energy management expertise.

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Smart Energy Name:

Password:

Remember my login name

Energy Solutions for  
Large and Multisite Businesses

Make Better Buying Decisions with Our Energy Management Services.

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Smart Energy Name:

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Large and Multisite Businesses

Make Better Buying Decisions with Our Energy Management Services.

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Manufacturers- Learn how to better manage  
energy costs

Build your competitive advantage with energy management.

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March 22, 2016, 12:30 p.m. EST

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5 Ways Your Small Business Can Go Green This St. Patrick's Day

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March 25, 2016, 1:00 p.m. EST

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March 14, 2016

[Click Here to Watch a 30-Minute Web Update](#)



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### The Top Energy Trends for 2016

From John Schütz, Direct Energy Business President

[Click for Video to Watch](#)



# TAKING ENERGY IN NEW DIRECTIONS



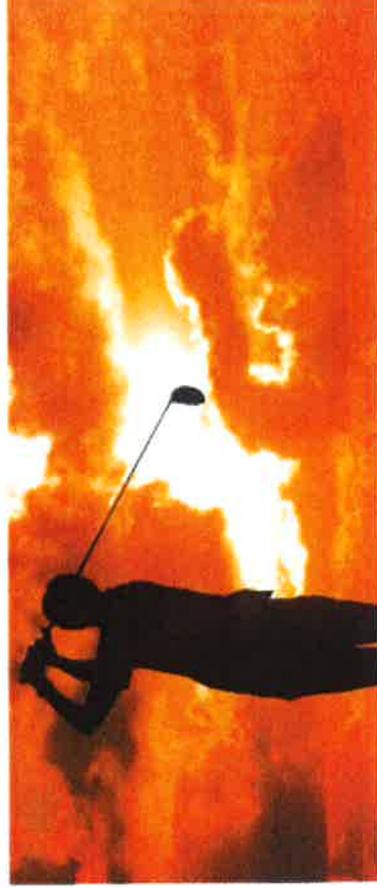
Check out our latest tools and tech like Panoramic Power® and walk through our one-of-a-kind Innovation to Inspiration Tour mobile exhibit.

**JOIN US AT BUILDINGSNY 2016 • BOOTH #973**

Everyone wants to use less energy and reduce costs. Direct Energy Business has the innovative tools and advanced technology that can help you get there.



LEARN MORE AT  
[directenergybusiness.com](http://directenergybusiness.com)



Direct Energy Business wants to show our appreciation with a great day of golf with our team and special guests.

## North Shore Country Club

May 16, 2016

500 Shore Road, Glen Head, NY

9:30 AM | Registration

Special onsite fundraiser on behalf of the Jewish Children's Museum.

This special appreciation event is designed exclusively for our metro New York customers, but space is limited, so don't miss this opportunity for a day on the links with us.

**REGISTER NOW**



# Direct Energy

Sponsored



Save up to 17% over O&R's electricity rate by switching to Direct Energy!



**Switch & Save up to 17%!**

[www.directenergy.com](http://www.directenergy.com)

**Sign Up**



**Direct Energy**

Sponsored



Save up to 17% over O&R's electricity rate by switching to Direct Energy!



**Switch & Save up to 17%!**

[www.directenergy.com](http://www.directenergy.com)

**Sign Up**

Subject: Thank You For Your Continued Business

# Thank You for Choosing Direct Energy Business



Dear ,

We realize that you have the ability to choose your retail energy supplier and we thank you for choosing Direct Energy Business for your electricity supply needs.

Enclosed is a copy of your fully-executed contract, Power Supply Coordination Service Agreement, Pricing Terms attachment for your records, along with some other useful information about doing business with us.

**Please verify that the enclosed information is correct, including the name on the account, billing address and email.**

**Accessing My Account Online**

As a reminder, to access our online customer service center, **My Account**, where you can print and pay your invoices free-of charge, visit [myaccount.directenergy.com](http://myaccount.directenergy.com) to register for access. You will need to have an account number and billing zip code handy to complete the registration process.

[Click here](#) for complete instructions on how to create a login and gain access to My Account.

- \* **Account Name** = Gap Inc
- \* **Billing Address** = Two Folsom Street, San Francisco, CA 94105
- \* If your billing address is incorrect, please let me know via return email. (Changes of this nature must be made in writing). If you have multiple accounts with different billing addresses, please include a list of the individual account numbers and their corresponding billing addresses when submitting your changes. This will prevent any delays and ensure your bills are sent to you promptly.
- \* If you have more than one account and would prefer Consolidated Billing please send me a breakdown of how the accounts should be grouped so that I can complete that for you before your first bill.
- \* If your account(s) is tax exempt and you have not submitted an exemption certificate, please fax or email me a copy of the appropriate sales tax exemption certificate(s). If this certificate is submitted after your first billing cycle with us, we are required to apply taxes to your account.

**We're Here to Serve You**

As a valued customer, we are providing a dedicated point-of-contact for your business to help guide you through any questions or concerns you may have during the term of your contract and to provide you with information, proactively, when changes to your account are necessary. This means that you may bypass our general Customer Relations call center and speak directly to an analyst who is able to address your specific concerns, follow up with you, and get to know your business. Your assigned analyst is:

**Phone:** 412-804-5575  
**Email:** [Ericka.Rademacher@directenergy.com](mailto:Ericka.Rademacher@directenergy.com)  
**Fax:** 412-667-6105

*For emergencies, such as power outages, downed power lines or meter issues, please contact your local utility.*

Thank you again for choosing us for your electricity supply—we look forward to serving you.

Warmest Regards,

**Ericka Rademacher**  
Client Service Analyst

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If you'd prefer not to receive email invitations from us in the future, please unsubscribe by sending a blank e-mail to [businessweb@directenergy.com](mailto:businessweb@directenergy.com) with "Unsubscribe - CSC Invoice" as the subject line.

Direct Energy Business | 1001 Liberty Avenue | Pittsburgh, PA 15222 | Phone 888-925-9115



Subject: Welcome to Direct Energy Business

# Welcome to Direct Energy Business



Dear ,

We realize that you have the ability to choose your retail energy supplier and we thank you for choosing Direct Energy Business for your electricity supply needs.

Enclosed is a copy of your fully-executed contract, Power Supply Coordination Service Agreement, Pricing Terms attachment for your records, along with some other useful information about doing business with us.

**Please verify that the enclosed information is correct, including the name on the account, billing address and email.**

- **Account Name** = Gap Inc
- **Billing Address** = Two Folsom Street, San Francisco, CA 94105
- If your billing address is incorrect, please let me know via return email. (Changes of this nature must be made in writing). If you have multiple accounts with different billing addresses, please include a list of the individual account numbers and their corresponding billing addresses when submitting your changes. This will prevent any delays and ensure your bills are sent to you promptly.
- If you have more than one account and would prefer Consolidated Billing please send me a breakdown of how the accounts should be grouped so that I can complete that for you before your first bill.
- If your account(s) is tax exempt and you have not submitted an exemption certificate, please fax or email me a copy of the appropriate sales tax exemption certificate(s). If this certificate is submitted after your first billing cycle with us, we are required to apply taxes to your account.

### ***We're Here to Serve You***

As a valued customer, we are providing a dedicated point-of-contact for your business to help guide you through any questions or concerns you may have during the term of your contract and to provide you with information, proactively, when changes to your account are necessary. This means that you may bypass our general Customer Relations call center and speak directly to an analyst who is able to address your specific concerns, follow up with you, and get to know your business. Your assigned analyst is:

**Phone:** 412-804-5575  
**Email:** [Ericka.Rademacher@directenergy.com](mailto:Ericka.Rademacher@directenergy.com)  
**Fax:** 412-667-6105

### **Accessing My Account Online**

As a reminder, to access our online customer service center, **My Account**, where you can print and pay your invoices free-of charge, visit: [myaccount.directenergy.com](http://myaccount.directenergy.com) to register for access. You will need to have an account number and billing zip code handy to complete the registration process.

[Click here](#) for complete instructions on how to create a login and gain access to My Account.

*For emergencies, such as power outages, downed power lines or meter issues, please contact your local utility.*

Thank you again for choosing us for your electricity supply—we look forward to serving you.

Warmest Regards,

Ericka Rademacher  
Client Service Analyst

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Direct Energy Business | 1001 Liberty Avenue | Pittsburgh, PA 15222 | Phone 888-925-9115

**From:** Direct Energy Business <learnmore@directenergy.com>  
**Sent:** Friday, April 29, 2016 8:01 AM  
**To:** Lather, Nicole  
**Subject:** TEST | New York plans are now available

Online offers now available from [Direct Energy Business](#)



## Plans are now available to you.

You are receiving this email because you had requested notice when New York Plans were made available from Direct Energy Business.

Great fixed gas and electricity rates are now online. Enroll in just 3 easy steps

1. View our rates
2. Select the plan that's right for your business
3. Sign up

Would you rather speak to a live agent about your options? Just call \_\_\_\_\_

[View rates online](#)



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This email is a marketing communication sent by Direct Energy Business, 1001 Liberty Avenue, Pittsburgh, PA 15222.  
No longer want to receive these emails? [Unsubscribe here.](#)

Exhibit G



### Slamming & Cramming Procedures

For Direct Energy Business, LLC, steps and measures are taken in preventing customers from being slammed or crammed. Within our system platform, validation tools are in place to identify Electronic Data Interchange information such as the account number being transmitted and received is the same as on the customer's contract.

For small business contracts, Direct Energy Business, LLC keeps copies of invoices for each account that is being enrolled to match up with what is written on the customer's contract.

## Exhibit H

Direct Energy Business, LLC is currently not marketing to customers in the State of New York via dialer, third party vendors, outbound telesales, and door-to-door channels.

Currently, Direct Energy Business, LLC is only accepting new customers via inbound call and the web.

Exhibit I- Redacted

Exhibit J



**New York State Public Service Commission**  
Office of Consumer Services  
Service Provider Contact Information

Completed forms should be submitted by fax to 518-472-8501

Date 05/03/2016

Company Name Direct Energy Business, LLC

Service Type (Check all that apply): Gas  Elec  ESCO  Cable TV   
Water  ILEC  CLEC  Toll Only  Other \_\_\_\_\_

**President** John Schultz  
Mailing Address 194 Wood Ave  
Iselin, NJ 08830  
Email Address John.Schultz@directenergy.com  
Phone Number 732-516-2600 Fax Number 866-461-8830

**Vice President / Director of Customer Service** Jeannine Girard  
Mailing Address 1001 Liberty Ave, Suite 1200  
Pittsburgh, PA 15222  
Email Address Jeannine.Girard@directenergy.com  
Phone Number 412-667-5219 Fax Number 866-461-8830

**Primary Regulatory Complaint Manager** Kimberly Davidek  
Mailing Address 1001 Liberty Ave, Suite 1200  
Pittsburgh, PA 15222  
Email Address Kimberly.Davidek@directenergy.com  
Phone Number 412-667-5276 Fax Number 866-461-8830

**Secondary Regulatory Complaint Manager** Brian Jenkins  
Mailing Address 6502 South Yale Ave.  
Tulsa, OK 74136  
Email Address Brian.Jenkins@directenergy.com  
Phone Number 918-877-8236 Fax Number 866-743-0739

**The PSC electronically transmits consumer complaints to service providers. You must identify a fax number and/or an email address box that is shared by a group of people. (NOTE: WE WILL NOT SEND COMPLAINTS TO PERSONAL EMAIL ADDRESSES. A SHARED EMAIL ADDRESS MUST BE IDENTIFIED OR THE TRANSMISSION WILL DEFAULT TO THE FAX NUMBER) Please identify the address/es to which we should transmit our complaints:**

**Email:** contactdirectenergy@directenergy.com **Fax:** 866-743-0739

Exhibit K

**Attestation**

I, Bray Dohrwardt, Secretary for Direct Energy Business, LLC, do hereby attest that Direct Energy Business, LLC as an ESCO licensed by the New York Public Service Commission, has been complying and will continue to comply with the requirements of the New York State Environmental Disclosure program while serving electric customers in the state of New York.

  
Bray Dohrwardt – Secretary – Direct Energy Business, LLC

\_\_\_\_\_  
Signature

5/31/16  
\_\_\_\_\_  
Date