



NHPUC BJA16PW12:13

New Hampshire Public Utilities Commission  
Attn: Debra Howland, Executive Director  
21 South Fruit Street, Suite 10  
Concord, NH 03301-2429

January 7, 2016

**RE: DM 15-513 Direct Energy Services, LLC Competitive Electric Power Supplier Amendment -  
Direct Energy Services, LLC d/b/a First Choice Power**

Dear Debra Howland:

Enclosed you will find Direct Energy Services, LLC's proof of registration with the State of New Hampshire to support doing business under the trade name First Choice Power.

If you have any questions or comments regarding the above, please feel free to contact me.

Regards,

A handwritten signature in black ink, appearing to read "Otibo Arthur", with a long horizontal flourish extending to the right.

Otibo Arthur  
Compliance Operations  
(713) 877-3534  
[Otibo.Arthur@directenergy.com](mailto:Otibo.Arthur@directenergy.com)

Enclosure

## NEW HAMPSHIRE

## PART Puc 2006 FORMS

Puc 2006.01 Form for Initial and Renewal Registration of Competitive Electric Power Suppliers.

(a) The registration application required by Puc 2003.01(a) and Puc 2003.02(b) shall include the following:

(1) The legal name of the applicant as well as any trade name(s) under which it intends to operate in this state, and, if available, its website address;

Direct Energy Services, LLC  
[www.directenergy.com](http://www.directenergy.com)

\*Please note Direct Energy Services, LLC plans on using d/b/a First Choice Power once the initial registration for Direct Energy Services, LLC has been completed.

(2) The applicant's business address, telephone number, e-mail address, and website address, as applicable;

Direct Energy Services, LLC  
12 Greenway Plaza, Suite 250  
Houston, TX 77046  
(713) 877-3500  
[customerrelations@directenergy.com](mailto:customerrelations@directenergy.com)

(3) The applicant's place of incorporation, if anything other than an individual;

Direct Energy Services is a Limited Liability Company that is organized under the laws of Delaware as of 06/22/2004. Please see Exhibit 1.

(4) The name(s), title(s), business address(es), telephone number(s), and e-mail address(es) of the applicant if an individual, or of the applicant's principal(s) if the applicant is anything other than an individual;

Please see Exhibit 2 for Direct Energy Services, LLC's Directors and Officers.

(5) The following regarding any affiliate and/or subsidiary of the applicant that is conducting business in New Hampshire:

Currently, the only licensed power and natural gas affiliate of Direct Energy Services, LLC conducting business in the state of New Hampshire is Direct Energy Business Marketing, LLC.

(6) The telephone number of the applicant's customer service department or the name, title, telephone number and e-mail address of the customer service contact person of the applicant, including toll free telephone numbers if available;

Name and Title: [customerrelations@directenergy.com](mailto:customerrelations@directenergy.com)  
Address: 6502 S. Yale Ave., Suite 900, Tulsa, OK 74136  
Telephone: (866) 348-4193  
Fax:

## NEW HAMPSHIRE

(7) The name, title, business address, telephone number, and e-mail address of the individual responsible for responding to commission inquiries;

Name and Title: Marc Hanks, Senior Manager Government & Regulatory Affairs  
Address: 24 Gary Drive, Westfield, MA 01085  
Telephone: (413) 642-3575  
Email: [marc.hanks@directenergy.com](mailto:marc.hanks@directenergy.com)

(8) The name, title, business address, telephone number and e-mail address of the individual who is the applicant's registered agent in New Hampshire for service of process;

**Corporate Creations Network Inc.**  
3 Executive Park Drive #201A  
Bedford, NH 03110  
Hillsborough County  
Phone: 603-369-3031

(9) A copy of the applicant's authorization to do business in New Hampshire from the New Hampshire secretary of state, if anything other than an individual;

Please see Exhibit 1 for a copy of the Certificate of Good Standing.

(10) A listing of the utility franchise areas in which the applicant intends to operate. To the extent an applicant does not intend to provide service in the entire franchise area of a utility, this list shall delineate the cities and towns where the applicant intends to provide service;

Eversource

(11) A description of the types of customers the applicant intends to serve, and the customer classes as identified in the applicable utility's tariff within which those customers are served;

Direct Energy Services, LLC intends to offer power supply to residential and small commercial customers in New Hampshire at fixed and/or variable rates in the service area of the utility listed above.

(12) A listing of the states where the applicant currently conducts business relating to the sale of Electricity;

Please see Exhibit 3 Direct Energy license inventory.

(13) A listing disclosing the number and type of customer complaints concerning the applicant or its principals, if any, filed with a state licensing/registration agency, attorney general's office or other governmental consumer protection agency for the most recent calendar year in every state in which the applicant has conducted business relating to the sale of electricity;

## NEW HAMPSHIRE

Direct Energy Services, LLC had no formal complaints filed in 2014. Please see Exhibit 4 for a summary of all complaints filed with a state licensing/registration agency, attorney general's office or other governmental consumer protection agencies for the 2013 calendar year where Direct Energy Services, LLC conducted business related to the sale of electricity.

- (14) A statement as to whether the applicant or any of the applicant's principals, as listed in a. through c. below, have ever been convicted of any felony that has not been annulled by a court:
- c. For limited liability companies, any of the managers or members;

No director or officer of Direct Energy Services, LLC has been convicted of a felony, business fraud or any antitrust violation pursuant to the referenced laws or their equivalents in other jurisdictions. Additionally, Direct Energy Services, LLC has not been held liable for fraud or antitrust violation.

- (15) A statement as to whether the applicant or any of the applicant's principals:
- a. Has, within the 10 years immediately prior to registration, had any civil, criminal or regulatory sanctions or penalties imposed against them pursuant to any state or federal consumer protection law or regulation;
  - b. Has, within the 10 years immediately prior to registration, settled any civil, criminal or regulatory investigation or complaint involving any state or federal consumer protection law or regulation; or
  - c. Is currently the subject of any pending civil, criminal or regulatory investigation or complaint involving any state or federal consumer protection law or regulation;

Direct Energy Services, LLC in the past has been the subject of civil, criminal or regulatory investigation or complaint involving any state or federal consumer protection law or regulation.

- (16) If an affirmative answer is given to any item in (14) or (15) above, an explanation of the event;

Please see attached Exhibit 5 for a summary of U.S. Regulatory Investigation or Complaints

- (17) For those applicants intending to telemarket, a statement that the applicant shall:
- a. Maintain a list of consumers who request being placed on the applicant's do-not-call list for the purposes of telemarketing;
  - b. Obtain monthly updated do-not-call lists from the National Do Not Call Registry; and
  - c. Not initiate calls to New Hampshire customers who have either requested being placed on the applicant's do-not-call list(s) or customers who are listed on the National Do Not Call Registry;

Direct Energy Services, LLC is fully compliant with the above statements.

- (18) For those applicants that intend not to telemarket, a statement to that effect;

Not Applicable. Please see question #17.

- (19) A sample of the bill form(s) the applicant intends to use or a statement that the applicant intends to use the utility's billing service;

Direct Energy Services, LLC intends to use the utilities consolidated billing method.

## NEW HAMPSHIRE

(20) A copy of each contract to be used for residential and small commercial customers;

Please see attached Exhibit 6 for Rate Plan Summary and Terms & Conditions.

(21) A statement certifying that the applicant has the authority to file the application on behalf of the CEPS and that its contents are truthful, accurate and complete; and

(22) The signature of the applicant or its representative.



# State of New Hampshire

## Department of State

Corporation Division  
107 North Main Street  
Concord, N.H. 03301-4989  
603-271-3244

ORIGINAL



Enclosed is your certificate of registered trade name. You should be sure to complete any other registrations required such as with the Department of Revenue Administration or with special licensing agencies such as the State Liquor Commission and Real Estate Commission.

Approximately six (6) months prior to the expiration date, we will mail to the address on record a form for you to renew your trade name registration. It is incumbent upon you to keep us informed of address changes to ensure the renewal form reaches you. There is no charge for address changes.

If you cease doing business under this trade name you are required by law to discontinue the use of its name by filing a Trade Name Discontinuance Form, TN-9. We also have forms to file should you wish to add a partner to your business (form TN-5) or withdraw a partner who is already one of the registrants (form TN-7). All of these forms may be downloaded from our web site at [www.sos.nh.gov/corporate/](http://www.sos.nh.gov/corporate/) or you may request them from this office.

Feel free to contact the Corporation Division if you need any further information.

Regards,

A handwritten signature in cursive script, appearing to read "William M. Gardner".

William M. Gardner  
Secretary of State

Business ID#: 736615

State of New Hampshire  
Department of State

CERTIFICATE OF REGISTERED TRADE NAME

OF

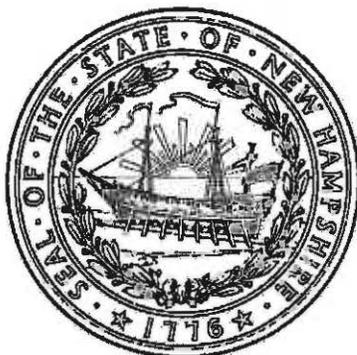
First Choice Power

This is to certify that Direct Energy Services, LLC registered in this office as doing business under the Trade Name First Choice Power, at 12 Greenway Plazal #250 Houston, TX 77046 on December 23, 2015.

The nature of business is retail provider of electricity and natural gas commodities and services.

Expiration Date: December 23, 2020

Business ID#: 736615



IN TESTIMONY WHEREOF, I hereto  
set my hand and cause to be affixed  
the Seal of the State of New Hampshire,  
this 23rd day of December, 2015 A.D.

A handwritten signature in cursive script, appearing to read "William M. Gardner".

William M. Gardner  
Secretary of State

# State of New Hampshire

Filing fee: \$50.00  
Use black print or type.

Form TN-1  
RSA 349

## APPLICATION FOR REGISTRATION OF TRADE NAME

**(PLEASE TYPE OR PRINT CLEARLY)**

- BUSINESS NAME:** First Choice Power  
(Name cannot include "INC." or other corporate designation)
- BUSINESS ADDRESS:** 12 Greenway Plaza, #250 Houston, TX 77046  
No. & Street City / town State Zip
- MAILING ADDRESS (if different):** \_\_\_\_\_  
No. & Street City / town State Zip
- BRIEF DESCRIPTION OF KIND OF BUSINESS TO BE CARRIED ON:** retail provider of electricity and natural gas commodities and services
- DATE BUSINESS ORGANIZED:** 06/22/2004  
(month / day / year)

**5-A. ENTITY APPLICANT:** IF THE APPLICANT IS A CORPORATION OR OTHER ENTITY, LIST CORPORATION'S OR ENTITY'S EXACT NAME AND INCLUDE TITLE OF PERSON SIGNING. If more space is needed for additional entity applicants, please attach additional sheet(s).

Direct Energy Services, LLC  
ENTITY NAME (TYPE OR PRINT)

12 Greenway Plaza, #250  
NO. STREET

[Signature]  
AUTHORIZED SIGNATURE

Houston, TX 77046  
TOWN/CITY STATE ZIP

Bray Dohrwardt, Secretary  
SIGNER'S NAME AND TITLE (TYPE OR PRINT)

**5-B. INDIVIDUAL APPLICANTS:** PLEASE TYPE OR PRINT APPLICANTS' NAME(S), ADDRESS(ES) AND INCLUDE SIGNATURE. If more space is needed for additional individual applicants, please attach additional sheet(s).

- TYPE OR PRINT NAME \_\_\_\_\_ NO. STREET \_\_\_\_\_  
SIGNATURE \_\_\_\_\_ TOWN/CITY STATE ZIP \_\_\_\_\_
- TYPE OR PRINT NAME \_\_\_\_\_ NO. STREET \_\_\_\_\_  
SIGNATURE \_\_\_\_\_ TOWN/CITY STATE ZIP \_\_\_\_\_
- TYPE OR PRINT NAME \_\_\_\_\_ NO. STREET \_\_\_\_\_  
SIGNATURE \_\_\_\_\_ TOWN/CITY STATE ZIP \_\_\_\_\_

DISCLAIMER: All documents available for public inspection

Mail fee and **DATED AND SIGNED** Main Street, Concord, NH 03301

State of New Hampshire  
Form TN 1 - Application for Registration of Trade Name 1 Page(s)



T1535845001

and will be

ate, 107 North  
/ 03301.

N-1 Pg 1 (05/2012)