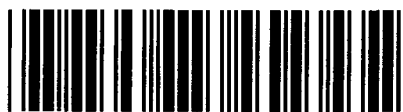




Control Number: 50876



Item Number: 1

Addendum StartPage: 0



Public Utility Commission of Texas

1701 N. Congress Avenue or P.O. Box 13326

Austin, Texas 78711-3326

512-936-7000 • (Fax) 512-936-7003

Web Site: www.puc.texas.gov

Application for, or Amendment to, a Retail Electric Provider (REP) Certificate
(Pursuant to PUC Substantive Rule §25.107)

DOCKET NUMBER: **50876**

Applicant

Applicant Name: Agera Energy LLC

Second Applicant Name (if required):

Type of Certification

(a) Check only one of the following.

- ☐ New REP Option 1 Certification
- ☐ New REP Option 2 Certification
- ☐ New REP Option 3 Certification
- ☒ REP Amendment [REP Certification No.:] 10230

(b) If you are filing an amendment, check one or more of the following amendment categories requested in this filing: (Provide a written explanation of the Amendment in "c" below).

- ☐ Name Change amendment
- ☐ Change in Ownership/Control
- ☐ Change in Service Area
- ☐ Change in Type of Provider
- ☒ Relinquishment of Certification
- ☐ Corporate Restructuring
- ☐ Change in Technical/Managerial Qualifications
- ☐ Change in Financial Qualifications
- ☐ Other (Explain in "c" below)

(c) Provide an explanation of the Amendment:

Agera Energy LLC is no longer serving any customers in Texas and wishes to relinquish its REP Certification.

PART A – COMPANY ADMINISTRATIVE INFORMATION

A-1. Application Contact Information

Contact Name: Todd Sandford		Title: COO
Street or Mailing address: 555 Pleasantville Rd.		
Mailing address (Suite, Floor or Room): Suite S-107		
City: Briarcliff Manor	State: NY	Zip Code: 10510
Phone No.: (914) 205-5838	Fax No.: (914) 206-3812	Toll Free No.: (844) 692-4372
Email: tsandford@ageraenergy.com		Web Address: www.ageraenergy.com

A-2. Authorized Representative Contact Information

Contact Name: Mark Linzenbold		Title: CFO
Street or Mailing address: 555 Pleasantville Rd.		
Mailing address (Suite, Floor or Room): Suite S-107		
City: Briarcliff Manor	State: NY	Zip Code: 10510
Phone No.: (914) 236-1406	Fax No.: (914) 206-3812	Toll Free No.: (844) 692-4372
Email: mlinzenbold@ageraenergy.com		Web Address: www.ageraenergy.com

A-3. Regulatory Representative Contact Information

Contact Name: Raima Jamal		Title: Counsel
Street or Mailing address: 555 Pleasantville Rd.		
Mailing address (Suite, Floor or Room): Suite S-107		
City: Briarcliff Manor	State: NY	Zip Code: 10510
Phone: (914) 205-5838	Fax No.: (914) 206-3812	Toll Free No.: (844) 692-4372
Email: rjamal@ageraenergy.com		Web Address: www.ageraenergy.com

A-4. Complaint Representative Contact Information

Contact Name: Deborah Figueroa		Title: Customer Care Manager
Street or Mailing address: Briarcliffe Manor		
Mailing address (Suite, Floor or Room): Suite S-107		
City: Briarcliff Manor	State: NY	Zip Code: 10510
Phone No.: (844) 692-4372	Fax No.: (888) 277-2380	Toll Free No.: (844) 692-4372
Email: customercare@ageraenergy.com		Web Address: www.ageraenergy.com

A-5. Emergency Contact Information – The Applicant shall provide the following information concerning its 9-1-1 Contact Personnel as required in Substantive Rule §25.53(e). You may provide up to three 9-1-1 contacts per company. The Commission prefers that you provide at least two 9-1-1 Contacts.

PRIMARY CONTACT: Todd Sandford		TITLE: COO	
Office No: (914) 205-5838	Fax No: (914) 206-3812	Toll Free No: (844) 692-4372	
Cell No:	Home No:		
EMAIL: tsandford@ageraenergy.com	WEBSITE: www.ageraenergy.com		
SECONDARY CONTACT:		TITLE:	
Office No:	Fax No:	Toll Free No:	
Cell No:	Home No:		
EMAIL:	WEBSITE:		
TERTIARY CONTACT:		TITLE:	
Office No:	Fax No:	Toll Free No:	
Cell No:	Home No:		
EMAIL:	WEBSITE:		
A-6. Principal Company Information			
(a). Physical Address			
Company Name: Agera Energy LLC			
Primary Contact: Mark Linzenbold		Title: Chief Financial Officer	
Physical Address: 555 Pleasantville Rd.			
City: Briarcliff Manor	State: NY	ZIP: 10510	
Email: Mlinzenbold@ageraenergy.com	Website: www.ageraenergy.com		
Phone: (914) 205-5838	Fax: (914) 206-3812	Toll Free: (844) 692-4372	
(b). Mailing Address (if different from Physical Address)			
Company Name:			
Contact:		Title:	
Mailing Address:			
City:	State:	ZIP:	
Email:	Website:		
(c). Texas Office Address			
Company Name: Agera Energy LLC			

Contact: Todd Sandford		Title: Chief Operating Officer	
Address: 1999 Bryan Street, Suite 900			
City: Dallas	State: TX		ZIP: 75201
Email: tsandford@ageraenergy.com		Website: www.ageraenergy.com	
Phone: (914) 205-5838	Fax:		Toll Free: (844) 692-4372
A-7. Directors, Officers, or Principals Information – (Provide a list of the names, titles, phone number and office email)			
Name: Todd Sandford	Title: Chief Operating Officer	Phone: (914) 205-5838	Email: tsandford@ageraenergy.com
Name: Mark Linzenbold	Title: Chief Financial Officer	Phone: (914) 205-5838	Email: Mlinzenbold@ageraenergy.com
Name:	Title:	Phone:	Email:
Name:	Title:	Phone:	Email:
Name:	Title:	Phone:	Email:
A-8. Certificated Name(s)			
(a). Primary Name on Certificate			
Primary Certificate Name: Agera Energy LLC			
Texas Secretary of State (or County) File Number: 80195664			
Date and State where Business was established: March 5, 2014; Delaware			
Texas Comptroller's Tax ID. Number: 32053531284			
Other Applicable Certification/File Numbers:			
(b). EXISTING Approved Certificate Names (if applicable)(Maximum of 5 d/b/as)			
PUC Approved Name: Agera Energy LLC			
PUC Approved Name:			
PUC Approved Name:			
PUC Approved Name:			
PUC Approved Name:			
(c). REQUESTED Certificate Names (if applicable)(Maximum of 5 d/b/as)			
Name:	Texas SoS File No.	Date Active:	
Name:	Texas SoS File No.	Date Active:	
Name:	Texas SoS File No.	Date Active:	

Name:	Texas SoS File No.	Date Active:
Name:	Texas SoS File No.	Date Active:
(d). DELETION of EXISTING Certificate Names (if applicable)		
Name to be DELETED:		
Name to be DELETED:		
Name to be DELETED:		
Name to be DELETED:		
Name to be DELETED:		

PART E – RELINQUISHMENT OF CERTIFICATION

E-1. Provision of Notice - 45 days prior to REP Relinquishment of Certification.

(a). Date that the REP satisfied or will satisfy the notice requirements of §25.107(i)(6).

Date: May 22, 2020

(b). Date that the REP intends to cease operations.

Date: July 6, 2020

E-2. Customer Notice of REP Relinquishment of Certification. Did the REP notify all of its customers that it intends to cease operations?

☒ Yes ☐ No. If Yes, provide a representative copy of the Customer Notice as Attachment E-2. If No, provide an explanation as Attachment E-2.

E-3. Other Notices of REP Relinquishment of Certification. Did the REP notify the relevant ISO (e.g. ERCOT), the PUC's Customer Protection Division, the Texas Comptroller's Office, the Texas Secretary of State, and the Administrator of the Texas Universal Service Fund that the REP intends to cease operations?

☒ Yes ☐ No. If No, provide an explanation as Attachment E-3.

E-4. Customer Deposits and Credits. Provide as Attachment E-4 proof that the REP has refunded any monies owed to customers.

Attachment E-2

Agera notified the Commission on or about October 7, 2019 of its voluntary chapter 11 bankruptcy filing in October 2019 and its intention to cease operations as a REP. Agera currently serves no customers in Texas, and therefore has no customers to notify that it intends to cease operations.

In connection with Agera's bankruptcy filing, most of Agera's customer contracts were sold to Constellation NewEnergy, Inc. ("Constellation"). Agera's remaining customers voluntarily enrolled with other retail electric providers following written notice from Agera to its customers of the bankruptcy. Since March 27, 2020, Agera has not served any customers in Texas. Attached are notices that were provided to Agera's customers in connection with its bankruptcy and the sale of its contracts to Constellation.

Pursuant to the attached affidavit, no refund of any monies are owed to customers.



November 11, 2019

Re: Notice of Assignment of Electric Service Agreement with Agera Energy, LLC

Dear Valued Customer:

You previously received a Notice of Assignment and Assumption from Agera and energy.me midwest llc d/b/a energy.me (collectively, "Agera") dated October 22, 2019 informing you that in connection with Agera's chapter 11 bankruptcy proceeding, the service contract(s) you have with Agera in Texas that are listed on the attached "Transferred Contract List" would be transferred from Agera to another energy supply company (the "Service Contract(s)"). In particular, Agera has entered into an agreement to sell certain parts of Agera's business, including the electric Service Contract(s), to Constellation NewEnergy, Inc. ("Constellation"), for continued electricity service by Constellation.

We are writing to inform you that on or after your December 2019 meter read, your electric service agreement with Agera is expected to be assigned to Constellation. Transfer of the Service Contract(s) may occur sooner or later depending on a number of factors including the action of your local utility company. **The rates, and terms and conditions of your current service agreement with Agera will not change and will remain in effect through the term of the agreement.** Although you may receive a notification from your local utility confirming the change, **there is no action required on your part and there will be no interruption to your service.** Constellation will assume and perform the same supplier obligations previously performed by Agera. If you are billed by the utility, this will continue unchanged except that Constellation's information will replace Agera's on your monthly billing statements. If you were billed by Agera, you will begin receiving a bill from Constellation. Important Note: You may receive invoices from Agera after the date of this notice and after your service has been transitioned to Constellation for periods of service prior to that transition. The invoices will contain instructions detailing how you are to pay Agera.

If you have any questions or concerns about this assignment, please contact Agera at 877-273-7276 between 7:30 a.m. and 4:30 p.m. CST or by email at customercare@ageraenergy.com.

Upon assignment to Constellation, customer inquiries should be directed to Constellation using the contact information provided below. To learn more about Constellation, please visit www.constellation.com.

Residential Customers:
home@constellation.com
844-940-1633

Commercial Customers:
customercare@constellation.com
844-636-3749

Constellation
P.O. Box 4911
Houston, TX 77210

Agera sincerely appreciates your past business and is confident that you will enjoy being a Constellation customer.

Very truly yours,

Agera and Constellation Customer Care Teams



November 22, 2019

Re: REMINDER: Selecting a New Retail Electric Provider or Transfer to Provider of Last Resort Service for Terminated Contracts – ACTION MAY BE REQUIRED

Dear Valued Customer:

By letter dated November 12, 2019 you were informed that certain electric service contract(s) you have with Agera Energy LLC ("Agera") in Texas that are listed on the attached "Terminated Contract List" will be terminated as soon as possible (the "Terminated Contract(s)") and that Agera will be unable to provide electric service under these contracts in the near future.

We are writing to remind you that unless you choose another electric service provider, your account(s) associated with the Terminated Contract(s) may be transferred to the Provider of Last Resort (the "POLR") in your service area as early as December 2019. Please note that POLR service is relatively high-priced and the transfer of these accounts to the POLR may result in a significant increase in price.

We strongly encourage you to act now to enroll your accounts associated with the Terminated Contracts with another electric service provider as soon as possible.

If you choose to move the accounts referenced on the attached Terminated Contract List to another energy supplier, you will not be charged an Early Termination Fee by Agera for doing so. You will, however, be responsible for payment in accordance with any invoices you receive for electric service supplied to you by Agera.

To avoid being transferred to the POLR and to receive service from a new retail electric provider, please access www.powertochoose.org, or call toll-free 1-866-PWR-4-TEX (1-866-797-4839) for a list of providers in your area.

We appreciate your business and it has been our pleasure serving you with your energy needs. If you have any questions regarding this notice, please call us at 877-273-7276 between 7:30 a.m. and 4:30 p.m. CST or contact us by email at customer care@ageraenergy.com.

Sincerely,

Agera Customer Care Team

NOTE: If you have other contracts with Agera that are not listed on the attached Terminated Contract List, those contracts and related accounts are not affected by this notice. No action is required for any contracts or accounts that are not listed on the attached Terminated Contract List.

Attachment E-4

Agera has never held any customer deposits.

AFFIDAVIT

State of: Pennsylvania §

§

County of: Allegheny §

§

My name is Todd Sanford. I am the Chief Operations Officer of the Applicant.

I swear or affirm that I have personal knowledge of the facts stated in this Application for a Retail Electric Provider Certificate that I am competent to testify to them, and that I have the authority to make this Application on behalf of the Applicant. I further swear or affirm that all of the statements and representations made in this Application for a Retail Electric Provider Certificate are true and correct. I swear or affirm that the Applicant understands and will comply with all requirements applicable to a Retail Electric Provider.



Signature Title

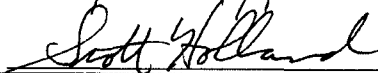
Todd Sanford

Typed or Printed Name

Chief Operating Officer

Title of Signatory

SWORN TO AND SUBSCRIBED before me on the 21st day of May, 2020



Notary Public in and For the State of Pennsylvania.

My commission expires on: 5/03/25/2023.

Commonwealth of Pennsylvania - Notary Seal
Scott Holland, Notary Public
Allegheny County
My commission expires March 25, 2023
Commission number 1348695
Member, Pennsylvania Association of Notaries