



DM 17-110

New Hampshire Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, NH 03301-2429

NHPUC 26JUN17PM1:04

June 23, 2017

**Docket Number: DM15-298**

To Whom It May Concern:

As of June 1, 2017, Choose Energy, Inc. has merged with SOE Sub, Inc., a wholly-owned subsidiary of Save On Energy, LLC. The surviving entity is Choose Energy, Inc., which will continue to operate as a licensed entity within the market. As part of the merger, all regulatory licenses were transferred for management. Any outstanding and upcoming licenses to be filed with the PUC will continue to be processed during the diligence phase of this merger. The filing of the Renewal Registration of Aggregators for the New Hampshire Public Utilities Commission is a priority and has been submitted as soon as possible. Please accept this letter as notification that Choose Energy, Inc. is in a transition period which may have resulted in a late filing.

Choose Energy, Inc.'s registered agent information is currently being updated with the correct information to ensure all notifications are properly distributed.

Thank you,

Choose Energy, Inc.  
1101 Red Ventures Drive  
Fort Mill, SC 29707

LINKED



New Hampshire Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, NH 03301-2429

June 23, 2017

**Docket Number: DM15-298**

To Whom It May Concern:

Under NH Code Admin. Rules PUC 2003.05(a) and NH Code Admin. Rules PUC 2006.02, Choose Energy, Inc. is required to submit a renewal registration of aggregators. Attached you will find the renewal for Docket Number DM15-298.

If you should have any questions, please reach out to the Choose Energy, Inc. team at [ChooseLicensing@saveonenergy.com](mailto:ChooseLicensing@saveonenergy.com).

Thank you,

Choose Energy, Inc.  
1101 Red Ventures Drive  
Fort Mill, SC 29707

**Puc 2006.02 Form for Initial and Renewal Registration of Aggregators**

*Registration application required by Puc 2003.04(a) and Puc 2003.05(b).*

**Renewal Applicant:** Choose Energy, Inc., Docket No. DM15-298.

1. *The legal name of the applicant as well as any trade name(s) under which it intends to operate in this state:*

**Choose Energy, Inc.**

2. *The applicant's business address, telephone number, e-mail address and website address as applicable:*

**1101 Red Ventures Drive  
Fort Mill, SC 29707  
704-971-2300  
ChooseLicensing@saveonenergy.com  
www.chooseenergy.com**

3. *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:*

**Choose Energy's Principals:**

**Mark Brodsky, Secretary  
1101 Red Ventures Drive  
Fort Mill, SC 29707  
704-971-2300**

**ChooseLicensing@saveonenergy.com**

**Ric Elias, President  
1101 Red Ventures Drive  
Fort Mill, SC 29707  
704-971-2300**

**ChooseLicensing@saveonenergy.com**

4. *The telephone number of the 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:*

**1-844-238-6072  
support@chooseenergy.com**

5. *A copy of the applicant's authorization to do business in New Hampshire from the secretary of state, if anything other than an individual:*

Business Name	Business ID	Homestate Name	Previous Name	Business Type	Principal Office Address	Registered Agent Name	Status
Choose Energy, Inc.	728854	Choose Energy, Inc.		Foreign Profit Corporation	7800 N. Dallas Pkwy, Ste 220, Plano, TX, 75024, USA	Northwest Registered Agent LLC	Good Standing

**\*Please note, the screen shot does not reflect the updated Principal Office Address and Registered Agent Name that resulted with the merger. These fields are currently in the process of being updated.**

6. *Description of the geographic areas of New Hampshire in which the applicant intends to provide service, consistent with Puc 2006.01(a)(10) above:*

**Choose Energy intends to provide broker services to both residential and commercial customers throughout the entire state of New Hampshire.**

7. *A statement that the applicant is not representing any supplier interest or a listing of any supplier interest the applicant intends to represent:*

**Choose Energy is not representing any supplier interest.**

8. *Except as provided in 2003.04(e), payment of the required filing fee:*

**Choose Energy, LLC has provided a check in the amount of \$125 to the New Hampshire Public Utilities Commission. This has been mailed to the address of 21 South Fruit Street, Suite 10 Concord, NH 03301-2429.**

9. *The signature of the applicant of its representative:*



**Mark Brodsky**



New Hampshire Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, NH 03301-2429

June 23, 2017

**Docket Number: DM15-298**

To Whom It May Concern:

Under NH Code Admin. Rules PUC 2003.04(j), Choose Energy, Inc. would like to report the following changes. As of June 1, 2017, Choose Energy, Inc. has merged with SOE Sub, Inc., a wholly-owned subsidiary of Save On Energy, LLC. The surviving entity is Choose energy, Inc., which will maintain its current operations in the State of New Hampshire under Docket Number DM15-298 and will continue to operate as a licensed entity within the market.

The new registered agent for the State of New Hampshire will be Corporation Service Company d/b/a Lawyers Incorporating Service located at 10 Ferry Street Suite 313 Concord, NH 03301. The new principals of Choose Energy, Inc. are Mark Brodsky and Ric Elias.

If you have any additional questions, please reach out to the Choose Energy, Inc. team at [ChooseLicensing@saveonenergy.com](mailto:ChooseLicensing@saveonenergy.com). All regulatory correspondence can also be directed to this email address or sent to 1101 Red Ventures Drive Fort Mill, SC 29707.

Thank you,

Choose Energy, Inc.  
1101 Red Ventures Drive  
Fort Mill, SC 29707

# Delaware

The First State

Page 1

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF  
DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT  
COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"SOE SUB, INC.", A DELAWARE CORPORATION,  
WITH AND INTO "CHOOSE ENERGY, INC." UNDER THE NAME OF  
"CHOOSE ENERGY, INC.", A CORPORATION ORGANIZED AND EXISTING  
UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED  
IN THIS OFFICE ON THE FIRST DAY OF JUNE, A.D. 2017, AT 9:33  
O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE  
NEW CASTLE COUNTY RECORDER OF DEEDS.



5148128 8100M  
SR# 20174531789

You may verify this certificate online at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)

A handwritten signature in black ink, appearing to read "JB", is written over a horizontal line. Below the line, the text "Jeffrey W. Bullock, Secretary of State" is printed.

Jeffrey W. Bullock, Secretary of State

Authentication: 202638034  
Date: 06-02-17

IN WITNESS WHEREOF, Choose Energy, Inc. has caused this Certificate of Merger to be duly executed by a duly authorized officer on this 1<sup>st</sup> day of June 2017.

CHOOSE ENERGY, INC.

By: Jerry Dyess

Name: Jerry Dyess

Title: Chief Executive Officer

**EXHIBIT A**  
**AMENDED AND RESTATED CERTIFICATE OF INCORPORATION**  
**OF**  
**CHOOSE ENERGY, INC.**

**FIRST:** The name of the corporation (the "Corporation") is:

**Choose Energy, Inc.**

**SECOND:** The address of the Corporation's registered office in the State of Delaware is 2711 Centerville Road, Suite 400, Wilmington, New Castle County, Delaware 19808. The registered agent at such address is Corporation Service Company.

**THIRD:** The purpose of the Corporation is to engage in any lawful act or activity for which corporations may be organized under the Delaware General Corporation Law ("DGCL").

**FOURTH:** The total number of shares of all classes of stock that the Corporation shall have authority to issue is 5,000 shares of Common Stock, par value \$0.0001 per share.

**FIFTH:** Unless required by the Bylaws, the election of the Board of Directors need not be by written ballot.

**SIXTH:** The Board of Directors shall have the power to make, alter or repeal the Bylaws of the Corporation, but the stockholders may make additional Bylaws and may alter or repeal any Bylaw whether or not adopted by them.

**SEVENTH:** The Corporation shall indemnify to the fullest extent permitted by law, including the advancement of expenses, any person made or threatened to be made a party to an action or proceeding, whether criminal, civil, administrative or investigative, by reason of the fact that he, his testator or intestate is or was a director or officer of the Corporation or any predecessor of the Corporation, or serves or served at any other enterprise as a director or officer at the request of the Corporation or any predecessor to the Corporation. Neither any amendment nor repeal of this Article Seventh, nor the adoption of any provision of the Corporation's Certificate of Incorporation inconsistent with this Article Seventh, shall eliminate or reduce the effect of this Article Seventh in respect of any matter occurring, or any action or proceeding accruing or arising or that, but for this Article Seventh, would accrue or arise, prior to such amendment, repeal or adoption of an inconsistent provision.

**EIGHTH:** No director of the Corporation shall be personally liable to the Corporation or its stockholders for monetary damages for breach of fiduciary duty as a director, for any act or omission, except that a director may be liable (i) for breach of the director's duty of loyalty to the Corporation or its stockholders, (ii) for acts or omissions not in good faith or that involve intentional misconduct or a knowing violation of law, (iii) under Section 174 of the



... DGCL, or (iv) for any transaction from which the director derived an improper personal benefit. If the DGCL is amended to authorize corporate action further eliminating or limiting the personal liability of directors, then the liability of the directors shall be eliminated or limited to the fullest extent permitted by the DGCL, as so amended. The elimination and limitation of liability provided herein shall continue after a director has ceased to occupy such position as to acts or omissions occurring during such director's term or terms of office. Any amendment, repeal or modification of this Article Eighth shall not adversely affect any right of protection of a director of the Corporation existing at the time of such repeal or modification.