



Ambit Energy, L.P.
1801 N. Lamar Street
Suite 200
Dallas, Texas 75202
Tel 214.270.1770
ambitenergy.com

RECEIVED

September 23, 2010

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

SEP 23 2010

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

Re: Ambit Northeast, LLC Electric Generation Supplier License Docket No. A-2010-2190276

Dear Ms. Chiavetta,

In response to your letter dated September 8, 2010 enclosed is the supplemental documentation and 3 hard copies of Ambit Northeast, LLC's application for approval as an Electric Generation Supplier License. Please note the application responses containing confidential information are being filed under seal as this information is sensitive trade secret, commercial, and financial information that, if disclosed to competitors, would cause substantial harm and put Ambit Northeast, LLC at a disadvantage to its competitors. Accordingly, Ambit Northeast, LLC respectfully requests the Commission to maintain the confidentiality of the information filed under seal.

Should you have any concerns, please do not hesitate to contact me at (214) 270-1785. Thank you for your time and attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Carl Williams", written over a horizontal line.

Carl Williams
Director – Business Development
Ambit Northeast, LLC
P (214) 270-1785
F (877) 674-8077
cwilliams@ambitenergy.com

Enclosures

ENCLOSURE

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BUREAU OF FIXED UTILITY SERVICES

Docket No. A-2010-2190276

AMBIT NORTHEAST, LLC

Data Requests

PA PUBLIC UTILITY COMMISSION
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1. **FICTITIOUS NAME** (Application Item 4) – The Company has indicated that it will be using a fictitious name or doing business as (“d/b/a”) Ambit Energy. Provide a copy of the Company’s filing with the Commonwealth’s Department of State pursuant to 54 Pa. C.S. §311. Form PA-953, evidencing the authority to operate under said fictitious name. **See Exhibit A.**
2. **BUSINESS ENTITY FILINGS** (Application Line 5) – Provide a copy of the Company’s Articles of Incorporation. **See Exhibit B to be filed under confidential seal.**
3. **TAXATION** (Application Item 15, Attachment D) – Provide an amended Tax Certification Statement that includes a Corporate Box Number in Section 9C. As a limited liability company registered to do business in Pennsylvania, the Company should have been assigned a Corporate Box Number (also called Corporate Account Number (also called Corporate Account Number) by the Pennsylvania Department of Revenue (DOR). The PA DOR may be reached by phone at (717) 772-2673 or through its website at <http://www.revenue.state.pa.us/>. **Ambit is still waiting on the PA DOR to provide Ambit with this information. Once Ambit receives this information it will be sent. See Exhibit C.**
4. **CONTACTS FOR CONSUMER SERVICE AND COMPLAINTS** (Application Item 17a) – Provide the name, title, address, telephone number, and fax number for an alternate person responsible for addressing customer complaints.
Kristine E. Bates
Senior Regulatory Specialist
1801 N. Lamar Ste 200
Dallas, Texas 75202
Ph: 214.270.1745
Fax: 888.202.1033
kbates@ambitenergy.com
compliance@ambitenergy.com
5. **TECHNICAL FITNESS** (Application Item 20) – Provide a detailed description of how the Company plans to market its products in Pennsylvania. Include specific information regarding the Company’s customer enrollment and verification procedures. Indicate whether or not the Company will be utilizing independent contractors to provide marketing services and if the Company plans to market its products door-to-door. **See Exhibit D.**

If the Company proposes to market its products through network or multi-level marketing, provide the following information:

- a. A detailed description of the amount and type(s) of training the Company provides its distributors **See Exhibit E to be filed under confidential seal.**
- b. A copy of the distributorship agreement and compensation plan **See Exhibit E to be filed under confidential seal.**
- c. Whether or not the Company requires its distributors to be exclusive. That is, are the Company's distributors restricted from marketing the products or services available from an EGS other than the Company? **See Exhibit D.**

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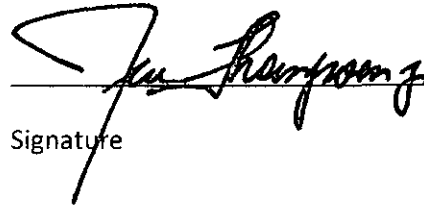
VERIFICATION

Docket No. A-2010-2190276

I, Jere Thompson, Jr., hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at a hearing held in this manner. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities).

9/21/10

Date

A handwritten signature in black ink, appearing to read "Jere Thompson, Jr.", written over a horizontal line. The signature is cursive and somewhat stylized.

Signature

Attachment A

Responsive to Item 4

Commonwealth's Department of State evidencing the authority to operate under a fictitious name

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**PENNSYLVANIA DEPARTMENT OF STATE
CORPORATION BUREAU**

Application for Registration of Fictitious Name
54 Pa.C.S. § 311

PENNCORP SERVICE GROUP, INC.
600 NORTH SECOND ST.
PO BOX 1210
HARRISBURG, PA 17108-1210

Commonwealth of Pennsylvania
FICTITIOUS NAME 3 Page(s)



Fee: \$70

In compliance with the requirements of 54 Pa.C.S. § 311 (relating to registration), the undersigned entity(ies) desiring to register a fictitious name under 54 Pa.C.S. Ch. 3 (relating to fictitious names), hereby state(s) that:

1. The fictitious name is:
Ambit Energy

2. A brief statement of the character or nature of the business or other activity to be carried on under or through the fictitious name is:
Sale of electricity and natural gas services.

3. The address, including number and street, if any, of the principal place of business (P.O. Box alone is not acceptable):

<u>1801 N. Lamar Street, Suite 200</u>	<u>Dallas</u>	<u>TX</u>	<u>75202</u>	<u>Dallas</u>
Number and street	City	State	Zip	County

4. The name and address, including number and street, if any, of each individual interested in the business is:

Name	Number and Street	City	State

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PA, DEPT. OF STATE

5. Each entity, other than an individual, interested in such business is (are):

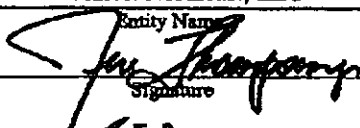
Ambit Northeast, LLC	Limited Liability Company	Delaware
Name	Form of Organization	Organizing Jurisdiction
1801 N. Lamar Street, Suite 200, Dallas, Texas 75202		
Principal Office Address		
Capitol Corporate Services, County of Dauphin		
PA Registered Office, if any		
Name	Form of Organization	Organizing Jurisdiction
Principal Office Address		
PA Registered Office, if any		

6. The applicant is familiar with the provisions of 54 Pa.C.S. § 332 (relating to effect of registration) and understands that filing under the Fictitious Names Act does not create any exclusive or other right in the fictitious name.

7. Optional: The name(s) of the agent(s), if any, any one of whom is authorized to execute amendments to, withdrawals from or cancellation of this registration in behalf of all then existing parties to the registration, is (are):
Jere Thompson, Jr.

IN TESTIMONY WHEREOF, the undersigned have caused this Application for Registration of Fictitious Name to be executed this

22 day of September 2020.

Individual Signature	Individual Signature
Individual Signature	Individual Signature
Ambit Northeast, LLC	Entity Name
	Signature
CEO	Title

Attachment B

Responsive to Item 5

Articles of Incorporation

REDACTED – Information provided in this section has been redacted to protect confidential and proprietary company information.

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Attachment C

Responsive to Item 15, Attachment D

Tax Certification Statement

Ambit is still waiting on the Pennsylvania Department of Revenue to provide Ambit with the Corporate Box Number. Once Ambit receives this information it will be sent to the PUC.

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Attachment D

Responsive to Item 20

Technical Fitness

Detailed description of how Ambit plans to market in PA including customer enrollment and verification procedures.

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Technical Fitness Questions

Provide a detailed description of how the Company plans to market its products in Pennsylvania.

Ambit Energy utilizes a direct sales model to market to small commercial and residential retail energy customers. Under this model, Independent Consultants ("Consultant") educate their friends, family members, and associates about Ambit Energy's gas and electricity offers in the deregulated markets where Ambit Energy operates. Ambit Energy maintains full oversight and responsibility for the company's marketing channel.

Customer orders are entered one of two ways. The primary means is through our secure internet order process whereby customers enter their appropriate information and are presented with offers available to them. Upon selection of a product, the customer is walked through the order entry process which gathers all necessary information to process the customer order. The secondary means is through our inbound call center which follows the same process with the assistance of one of our trained Enrollment Team specialists.

All orders are verified by a recorded, independent, third party verification ("TPV") call from an outside vendor which is transacted with the customer within minutes of the order being placed. The customer verifies that they choose Ambit Energy as their new energy supplier for electricity and/or gas. The service address, product selection, customer incentives and other pertinent details are verified as well. If the customer does not verify each question asked during the TPV call, the verification process is voided, the order is cancelled prior to Ambit fully processing a switch request, and the customer is required to completely verify each question again at a later date; thus the customer is not switched away from their existing supplier until the full TPV process is completed start to finish.

After the customer completes TPV, Ambit sends a Welcome Letter along with a copy of the Terms of Service and Disclosure Statement, in order to provide yet another opportunity for the customer to read the Terms of Service and Disclosure Statement prior to the right to rescind timeframe has expired.

Will the Company utilize independent contractors to provide marketing services?

No, the Company will not utilize independent contractors to provide marketing services to its customers.

Will the Company market its products door-to-door?

No, Ambit Consultants are not permitted to market services door-to-door, as specified in Section 4.29 of the Consultant Policies and Procedures manual (attached).

Provide a detailed description of the amount and type(s) of training the Company provides its distributors.

Ambit Energy provides Consultants with several channels of information and training. First, Consultants have online access to PowerZone, a real-time, secured website wherein Consultants can access the latest Company news including updates to marketing practices, market-specific changes, and updates. On PowerZone, Consultants can download the most up-to-date product information,

sales contracts, terms of service and sales collateral created and approved by the Company for Consultant use.

Second, upon signup Consultants receive a marketing consultant kit, which is designed to provide specific information about each market where Ambit Energy conducts business. Company produced and approved sales literature, and self-directed training materials that assists new Consultants in distinguishing the differences between marketing the Company's business opportunity and educating customers about their energy choices.

Third, all Consultants are encouraged to attend Company events and training sessions, which are designed to provide Consultants with guidance from Company executives and field sales leaders who provide advanced training in the areas of professional conduct, Company goals and ethics, and showcase Consultants who follow Company guidelines while creating a successful independent consultant business. Training sessions occur almost every week in every market Ambit serves.

Fourth, Consultants receive messages from the Powerline Voice Messaging Platform, a voice mail distribution system that delivers the latest information from Ambit Energy executives regarding rate changes, product updates, and policy or guideline changes.

Lastly, all Consultants have access to Ambit Energy's toll-free Consultant Support Line, which consists of dedicated, trained, Ambit Energy employees based in Dallas, Texas at the Company's headquarters. Ambit Energy's consultant support call center is available Mondays through Friday from 8:00 a.m. to 6:00 p.m. Central Standard Time and Saturday from 10:00 a.m. to 5:00 p.m. Central Standard Time to answer questions from Consultants.

Ambit consultants are required to strictly conform to our Policies and Procedures document which strictly outlines the method in which they are allowed to market our services. If an Ambit consultant is found to be non-compliant with any of our policies and procedures, that consultant is promptly terminated and on occasion, an email and web flash goes out to all consultants detailing the activity in question, and the result of that consultant's actions. This serves to keep non-compliant behavior at bay. Documentation of past terminations can be provided upon request.

Provide a copy of the distributorship agreement and compensation plan.

Please see the attached Independent Consultant Application and Agreement ("Agreement"), Consultant Policies and Procedures, and Getting Paid document which outlines the compensation plan for Consultants.

State whether or not the Company requires its distributors to be exclusive.

Ambit's Agreement does not require its distributors to be exclusive to Ambit. It does prohibit the Consultant from converting existing Ambit customers to another distributor for a period of one year after termination of the Agreement, so Consultants may market services to new customers whom they do not have a prior relationship.

Attachment E

Responsive to Item 20

Technical Fitness

Consultant Agreement
Consultant Compensation Plan
Consultant Policies and Procedures

REDACTED – Information provided in this section has been redacted to protect confidential and proprietary company information.

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**CONFIDENTIAL/PROPRIETARY
MATERIAL FOLLOWS:**

NO SCANNED IMAGE AVAILABLE

**ACTUAL DOCUMENT IN
CONFIDENTIAL FILE FOLDER**

KRISTA FLOWERS 214.270.1901 AMBIT ENERGY 1801 N. LAMAR STREET DALLAS TX 75202	0.5 LBS LTR	1 OF 1
SHIP TO: ROSEMARY CHIAVETTE, SECRETARY PA PUBLIC UTILITY COMMISSION 400 NORTH STREET COMMONWEALTH KEYSTONE BUILDING HARRISBURG PA 17120-0200		
	PA 171 9-20	
		
UPS NEXT DAY AIR SAVER 1P TRACKING #: 1Z 267 3RX 13 9042 5569		
		
BILLING: P/P		
UPS 12.8.05. WNTIER0 06.0A 07/2010		