



**VIA E-FILE**

**REDACTED**

December 16, 2021

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street, Keystone Building  
Harrisburg, PA 17120

**Re: Resubmission of Rejected Filing:  
Direct Energy Services, LLC - Notice of Assignment  
License No. A-110164**

Dear Secretary Chiavetta:

In accordance with Staff's December 9, 2021 request to resubmit a rejected filing, please allow this to serve as Direct Energy Services, LLC's (A-110164) resubmission of its previously rejected Notice of Assignment.

Therefore, enclosed for refiling is the redacted version of its Notice of Assignment.

Please feel free to contact me at 301.509.1508 or via email at lgibbons@nrg.com if you have any questions or require additional information.

Sincerely,

By   
Leah Gibbons, Director Regulatory Affairs

Enclosure



**VIA UPS**

October 12, 2021

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street, Keystone Building  
Harrisburg, PA 17120

**REDACTED**

**Re: Docket No. M-00960890F.0013 and 52 Pa. Code § 54.5(j) Notice of Contract Assignment**

Dear Secretary Chiavetta:

Pursuant to the Commission's Interim Guidelines Regarding Notification by an Electric Generation Supplier of Operational Changes Affecting Customer Service and Contracts, adopted on August 13, 1998 in Docket No. M-00960890F.0013 and 52 Pa. Code § 54.5(j), the purpose of this joint letter is to advise the Pennsylvania Public Utility Commission ("PUC" or "Commission") that Liberty Power Holdings, LLC, Liberty Power District of Columbia, LLC, LPT, LLC, Liberty Power Maryland, LLC ("Liberty Power") and NRG Retail LLC. ("NRG") have entered into an asset purchase agreement (the "Agreement") for the acquisition by NRG's retail subsidiaries – Direct Energy Services, LLC ("Direct Energy") and XOOM Energy Pennsylvania, LLC ("XOOM Energy") – of certain customer accounts of Liberty Power in the Commonwealth of Pennsylvania. Specifically, pursuant to the Agreement, Liberty Power will assign to Direct Energy approximately **[BEGIN CONFIDENTIAL]** [REDACTED] **[END CONFIDENTIAL]** contracts, and to XOOM Energy approximately **[BEGIN CONFIDENTIALITY]** [REDACTED] **[END CONFIDENTIALITY]** contracts for the provision of electric generation services to Pennsylvania retail customers. Liberty Power's license number is A-110175; Direct Energy's license number is A-110164; XOOM Energy's license number is A-2012-2283821.

A 30-day notice is being sent to the impacted customers to inform them of the contract transfer. This notice includes the following information:

- The transfer of service from Liberty Power to Direct Energy/XOOM Energy is expected to occur on or after the meter read date occurring on **[BEGIN CONFIDENTIAL]** [REDACTED] **[END CONFIDENTIAL]**.
- The customer contracts are assignable.
- In the interim, Liberty Power will continue to serve the remaining customers, but intends to relinquish its license after it has transferred all customers to either Direct Energy/XOOM Energy or another supplier. Liberty Power will separately file with the Commission with a status update for the remaining customers, with notice regarding a subsequent transfer and file to relinquish its license thereafter.
- Contact information for:
  - Direct Energy, including:
    - The mailing address is PO Box 180, Tulsa, OK 74101-0180.
    - The telephone number for Direct Energy's customer service representatives is 1-888-734-0741; or
  - XOOM Energy, including:
    - The mailing address is 11208 Statesville Rd., Suite 200, Huntersville, NC 28078
    - The telephone number for XOOM Energy's customer service representatives is 1-888-997-8979.
- An explanation that the customer need not do anything for the transfer of service and that existing Terms of Service will not change and will be honored by Direct Energy and XOOM Energy.

In addition, Direct Energy and XOOM Energy attest that they are current with all required assessment and AEPS obligations. Liberty Power is current with all required assessments but cannot confirm that it is in compliance with its AEPS obligations at this time. Direct Energy, XOOM Energy and Liberty Power will file their Quarterly Gross Receipts for the four most recent quarters under separate cover.

NRG and Liberty Power request that the Commission grant this notification confidential and proprietary treatment. The data provided herein is commercially sensitive information that NRG and Liberty Power do not make public in any of our corporate reporting.

A public version of the Notice of Assignment has been served in accordance with the attached Certificate of Service.

For all regulatory inquiries and if you have any questions, please do not hesitate to contact the following representatives:

**Liberty Power Representative:**

Stephen Gibelli  
Chief Legal Officer  
Liberty Power Holdings, LLC  
2100 West Cypress Creek Road, Suite 130  
Fort Lauderdale, FL 33309  
954-864-1519  
[sgibelli@libertypowercorp.com](mailto:sgibelli@libertypowercorp.com)

**NRG Representative:**

Leah Gibbons  
Director Regulatory Affairs  
NRG Energy, Inc.  
3711 Market Street, Suite 1000  
Philadelphia, PA 19104  
301-509-1508  
[lgibbons@nrg.com](mailto:lgibbons@nrg.com)

Respectfully submitted,

LIBERTY POWER HOLDINGS, LLC

By Stephen Gibelli  
Stephen Gibelli, Chief Legal Officer

NRG ENERGY, INC.

By Leah Gibbons  
Leah Gibbons, Director Regulatory Affairs

**CERTIFICATE OF SERVICE**

I hereby certify that this day I served a non-confidential copy of Direct Energy Services, LLC and Liberty Power Holdings, LLC's Notice of Assignment upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54 in Docket No. M-2020-3019262.

Bureau of Investigation & Enforcement  
Pennsylvania Public Utility  
Commission Commonwealth Keystone  
Building  
400 North Street, 2 West  
Harrisburg, PA 17120

Commonwealth of Pennsylvania  
Department of Revenue  
Bureau of Compliance  
Harrisburg, PA 17128-  
0946

Office of Consumer Advocate  
5<sup>th</sup> floor, Forum Place  
555 Walnut Street  
Harrisburg, PA 17120

Office of Attorney General  
Bureau of Consumer  
Protection Strawberry Square,  
14<sup>th</sup> Floor  
Harrisburg, PA 17120

Office of Small Business Advocate  
Commerce Building, Suite 202  
300 North Second Street  
Harrisburg, PA 17101

Legal Department  
West Penn Power d/b/a Allegheny  
Power  
800 Cabin Hill Drive  
Greensburg, PA 15601-1689

Regulatory Affairs  
Duquesne Light Company  
411 Seventh Street, MD 16-4  
Pittsburgh, PA 15219

Met-Ed, Penelec, and Penn Power:  
Legal Department  
First Energy  
2800 Pottsville Pike  
Reading, PA 19612

Citizens' Electric Company  
Attn: EGS Coordination  
1775 Industrial Boulevard  
Lewisburg, PA 17837

Wellsboro Electric Company  
Attn: EGS Coordination  
33 Austin Street, P.O. Box 138  
Wellsboro, PA 16901

Manager Energy Acquisition  
PECO Energy Company  
2301 Market Street  
Philadelphia, PA 19101-8699

Office of General Counsel  
Attn: Kimberly Klock  
PPL  
Two North Ninth Street  
Allentown, PA 18108-1179

UGI Utilities, Inc.  
Attn: Rates Dept. – Choice Coordinator  
2525 N. 12<sup>th</sup> Street, Suite 360  
P.O. Box 12677  
Reading, PA 19612-2677

Pike County Light & Power Company  
Vice President – Energy Supply  
Coming Natural Gas Holding Corporation  
330 West William Street  
Corning, NY 14830



---

Leah Gibbons, Director, Regulatory Affairs  
Dated: October 12, 2021

**Exhibit A**

Form Customer Notice



P.O. Box 180  
Tulsa, OK 74101-0180



<Customer\_Name>  
<Billing\_Street\_1>  
<Billing\_Street\_2>  
<Billing\_City>, <Billing\_State> <Billing\_Zip>  
<UTILITY ><MaskedUAN>

**IMPORTANT NOTICE ABOUT YOUR ELECTRICITY SERVICE PLAN:** Your current plan is not changing.

Dear <Customer\_Name>,

<MailDate>

At Liberty Power, we appreciate your business and have enjoyed serving as your retail electric supplier. **This notice is to inform you that your electric supply service will be transferred from Liberty Power to Direct Energy on or after <Transfer Date>.**

Direct Energy has a strong record of high-quality customer service, the ability to continue to serve your energy needs, and the resources to provide you with expanded service offerings. Direct Energy is a certified electricity supplier authorized by the <CommissionName><sup>1</sup>.

**There are no changes to the material terms and conditions, including price and duration, of your electricity service plan. The assignment is allowed per your contract. This transfer will not interrupt your electricity service and there is no action required from you.**

#### What is happening?

- Your electricity supply services will be transferred from Liberty Power to Direct Energy on or after <Transfer Date>.

#### What will stay the same?

- Your terms of service will remain the same — There are no changes to your electricity service plan.
  - If you are on a fixed price plan, your service will continue with the same fixed price until the end of your contract term.
  - If you are on a variable price, month-to-month plan, your service will continue with Direct Energy's variable electricity supply price plan.
- You will continue to receive your electricity bill from and will remit payment to <UTILITY><sup>2</sup>.

#### What will change?

- Direct Energy will be listed as your electricity supplier on your utility bill.
- Your electricity supplier contact information — customer service phone numbers, email address, and website address — will change to Direct Energy's contact information listed below.

#### What do you need to do?

- Nothing — your electricity supply service is assignable and will transfer automatically and there will be no interruption of your service. In the coming weeks, you may receive a notice from <UTILITY> confirming the change to Direct Energy.

<sup>1</sup> Direct Energy is a trade name of Direct Energy, LLC (<CommShortName> Elec. License No.<BrandLicenseNo>). Liberty Power, LLC (Elec. License No.<LibertyLicenseNo>).

<sup>2</sup> Customers who currently receive and pay separate bills for supply and delivery charges will continue to receive and pay separate bills - one from Direct Energy for supply charges and one from their utility for delivery charges.

- Continue paying your electricity bill to your utility as normal.

**Who do I contact if I need more information about this change?**

A comprehensive set of Frequently Asked Questions (“FAQs”) is included with this notice. Please review the FAQs to find answers to your most important questions about this transition. If you have further questions, please contact Liberty Power Customer Care or Direct Energy Customer Support as follows:

- Your prior service under Liberty Power:  
Email: [customer care@libertypowercorp.com](mailto:customer care@libertypowercorp.com)  
Toll-free Phone: 1-866-769-3799 (Mon. – Fri., 8:00 a.m. to 8:00 p.m., Sat. 10:00 a.m. to 6:00 p.m. EST)
- Starting <Transfer Date> all questions and customer support should be directed to Direct Energy:  
Email: [csdirectenergy@nrg.com](mailto:csdirectenergy@nrg.com)  
Toll-free Phone: 1-866-348-4193 (Mon. – Fri., 8:00 a.m. to 8:00 p.m., Sat. 8:00 a.m. to 5:00 p.m. EST)

Please keep the information in this notice on hand in case you have any questions regarding this transition.

Thank you so much for entrusting your retail electricity service to Liberty Power. We are confident you will enjoy your continuing service with Direct Energy.

Kind Regards,

*Shantel Wallace*

Shantel Wallace  
Director of Operations  
Liberty Power Holdings, LLC

*Mark Eddings*

Mark Eddings  
Vice President  
Direct Energy Services, LLC

<sup>1</sup> Direct Energy is a trade name of Direct Energy, LLC (<CommShortName> Elec. License No.<BrandLicenseNo>). Liberty Power, LLC (Elec. License No.<LibertyLicenseNo>).

<sup>2</sup> Customers who currently receive and pay separate bills for supply and delivery charges will continue to receive and pay separate bills - one from Direct Energy for supply charges and one from their utility for delivery charges.



## Frequently Asked Questions

**Q: When is the transfer occurring?**

A: Your electricity supply services will be transferred from Liberty Power to Direct Energy on or after <Transfer Date>. Your service with Direct Energy will start <StartCycle> after that.

**Q: Will my electricity service be interrupted as a result of this transfer?**

A: No, this transfer will not interrupt your electricity service and you should continue to pay your <UTILITY> bill as normal.

**Q: Do I need to do anything to switch to Direct Energy?**

A: No, you will not need to do anything. Direct Energy will make this transition easy and seamless for you.

**Q: Will my current price change?**

A: If you are on a fixed price plan, your service will continue with the same fixed price until the end of your contract term.

If you are on a variable price, month-to-month plan, your service will continue with Direct Energy's variable electricity supply price plan. The ongoing price may change monthly and may be higher than your utility's supply rate. After <Transfer Date>, you may also contact Direct Energy directly to see what other options are available.

**Q: What will happen to my contract/plan with Liberty Power?**

A: Direct Energy will honor your current contract and agreements with Liberty Power, so your terms and conditions will remain the same throughout the life of your current contract.

**Q: I have a plan with 100% renewable energy. Will that change?**

A: Direct Energy will honor your current renewable energy options or renewable plan with Liberty Power. You will not have electricity from a specific generation facility delivered directly to your service address, but Direct Energy ensures that the applicable percentage of your electricity usage is matched by the generation of energy from renewable resources on an annual basis. Direct Energy does so by purchasing and retiring renewable energy certificates representing the environmental attributes associated with the applicable amount of renewable energy generation from the area specified for your product.

**Q: If I have a plan with rewards, when will I receive my rewards from Liberty Power?**

A: Direct Energy will ensure that you receive your rewards as promised, so you'll continue to get rewarded for being a valued customer.

**Q: Will my utility account number change?**

A: No. Your account number at your utility will stay the same.

**Q: Will my meter read cycle or utility charges change because of this transfer?**

A: No, you will continue under the same meter read schedule and you will receive your bill from <UTILITY> as you always have. The only change is that Direct Energy will now be listed as your retail energy supplier.

**Q: Who is Direct Energy?**

A: Direct Energy is a leading competitive energy supply company that serves customers throughout North America. We strive to change the way people think about and use energy. Our parent company, NRG Energy, Inc., is a Fortune 500 company and a leader in producing smarter energy solutions. You can learn more about Direct Energy as your new electricity supplier by visiting [www.directenergy.com](http://www.directenergy.com), calling 1-866-348-4193, or emailing [csdirectenergy@nrg.com](mailto:csdirectenergy@nrg.com).

<sup>1</sup> Direct Energy is a trade name of Direct Energy, LLC (<CommShortName> Elec. License No.<BrandLicenseNo>). Liberty Power, LLC (Elec. License No.<LibertyLicenseNo>).

<sup>2</sup> Customers who currently receive and pay separate bills for supply and delivery charges will continue to receive and pay separate bills - one from Direct Energy for supply charges and one from their utility for delivery charges.

**Q: I am on a Budget Billing plan with <UTILITY>. How will this change impact me?**

A: Your utility company is responsible for calculating the Budget Billing amount for both supply and delivery charges. It is possible that they may true up your account once you are transferred to Direct Energy which may result in a change to your budget bill amount and they may place a charge or credit on your bill to true up your account. You may want to contact them for specific information on how this will impact your budget billing plan.

<sup>1</sup> Direct Energy is a trade name of Direct Energy, LLC (<CommShortName> Elec. License No.<BrandLicenseNo>). Liberty Power, LLC (Elec. License No.<LibertyLicenseNo>).

<sup>2</sup> Customers who currently receive and pay separate bills for supply and delivery charges will continue to receive and pay separate bills - one from Direct Energy for supply charges and one from their utility for delivery charges.



<Customer\_Name>  
<Billing\_Street\_1>  
<Billing\_Street\_2>  
<Billing\_City>, <Billing\_State> <Billing\_Zip>  
<UTILITY ><MaskedUAN>

**IMPORTANT NOTICE ABOUT YOUR ELECTRICITY SERVICE PLAN:** Your current plan is not changing.

Dear <Customer\_Name>,

<MailDate>

At Liberty Power, we appreciate your business and have enjoyed serving as your retail electric supplier. **This notice is to inform you that your electric supply service will be transferred from Liberty Power to XOOM Energy on or after <Transfer Date>.**

XOOM Energy has a strong record of high-quality customer service, the ability to continue to serve your energy needs, and the resources to provide you with expanded service offerings. XOOM Energy is a certified electricity supplier authorized by the <CommissionName><sup>1</sup>.

**There are no changes to the material terms and conditions, including price and duration, of your electricity service plan. The assignment is allowed per your contract. This transfer will not interrupt your electricity service and there is no action required from you.**

**What is happening?**

- Your electricity supply services will be transferred from Liberty Power to XOOM Energy on or after <Transfer Date>.

**What will stay the same?**

- Your terms of service will remain the same — There are no changes to your electricity service plan.
  - If you are on a fixed price plan, your service will continue with the same fixed price until the end of your contract term.
  - If you are on a variable price, month-to-month plan, your service will continue with XOOM Energy's variable electricity supply price plan.
- You will continue to receive your electricity bill from and will remit payment to <UTILITY><sup>2</sup>.

**What will change?**

- XOOM Energy will be listed as your electricity supplier on your utility bill.
- Your electricity supplier contact information — customer service phone numbers, email address, and website address — will change to XOOM Energy's contact information listed below.

**What do you need to do?**

- Nothing — your electricity supply service is assignable and will transfer automatically and there will be no interruption of your service. In the coming weeks, you may receive a notice from <UTILITY> confirming the change to XOOM Energy.
- Continue paying your electricity bill to your utility as normal.

<sup>1</sup> XOOM Energy is a trade name of XOOM Energy [State], LLC (<<CommShortName>> Elec. License No.<<BrandLicenseNo>>). Liberty Power, LLC (Elec. License No.<<LibertyLicenseNo>>).

<sup>2</sup> Customers who currently receive and pay separate bills for supply and delivery charges will continue to receive and pay separate bills - one from XOOM Energy for supply charges and one from their utility for delivery charges.

**Who do I contact if I need more information about this change?**

A comprehensive set of Frequently Asked Questions (“FAQs”) is included with this notice. Please review the FAQs to find answers to your most important questions about this transition. If you have further questions, please contact Liberty Power Customer Care or XOOM Energy Customer Support as follows:

- Your prior service under Liberty Power:  
Email: [customercare@libertypowercorp.com](mailto:customercare@libertypowercorp.com)  
Toll-free Phone: 1-866-769-3799 (Mon. – Fri., 8:00 a.m. to 8:00 p.m., Sat. 10:00 a.m. to 6:00 p.m. EST)
- Starting <Transfer Date> all questions and customer support should be directed to XOOM Energy:  
Email: [customercare@xoomenergy.com](mailto:customercare@xoomenergy.com)  
Toll-free Phone: 1-888-997-8979 (Mon. – Fri., 8:00 a.m. to 11:00 p.m., Sat. 9:00 a.m. to 7:00 p.m. EST)

Please keep the information in this notice on hand in case you have any questions regarding this transition.

Thank you so much for entrusting your retail electricity service to Liberty Power. We are confident you will enjoy your continuing service with XOOM Energy.

Kind Regards,

*Shantel Wallace*

Shantel Wallace  
Director of Operations  
Liberty Power Holdings, LLC



Mark Parsons  
Vice President and General Manager  
XOOM Energy, Inc

1 XOOM Energy is a trade name of XOOM Energy [State], LLC (<<CommShortName>> Elec. License No.<<BrandLicense No>>). Liberty Power, LLC (Elec. License No.<<LibertyLicense No>>).

2 Customers who currently receive and pay separate bills for supply and delivery charges will continue to receive and pay separate bills - one from XOOM Energy for supply charges and one from their utility for delivery charges.

## Frequently Asked Questions

**Q: When is the transfer occurring?**

A: Your electricity supply services will be transferred from Liberty Power to XOOM Energy on or after <Transfer Date>. Your service with XOOM Energy will start <StartCycle> after that.

**Q: Will my electricity service be interrupted as a result of this transfer?**

A: No, this transfer will not interrupt your electricity service and you should continue to pay your <UTILITY> bill as normal.

**Q: Do I need to do anything to switch to XOOM Energy?**

A: No, you will not need to do anything. XOOM Energy will make this transition easy and seamless for you.

**Q: Will my current price change?**

A: If you are on a fixed price plan, your service will continue with the same fixed price until the end of your contract term.

If you are on a variable price, month-to-month plan, your service will continue with XOOM Energy's variable electricity supply price plan. The ongoing price may change monthly and may be higher than your utility's supply rate. After <Transfer Date>, you may also contact XOOM Energy directly to see what other options are available.

**Q: What will happen to my contract/plan with Liberty Power?**

A: XOOM Energy will honor your current contract and agreements with Liberty Power, so your terms and conditions will remain the same throughout the life of your current contract.

**Q: I have a plan with 100% renewable energy. Will that change?**

A: XOOM Energy will honor your current renewable energy options or renewable plan with Liberty Power. You will not have electricity from a specific generation facility delivered directly to your service address, but XOOM Energy ensures that the applicable percentage of your electricity usage is matched by the generation of energy from renewable resources on an annual basis. XOOM Energy does so by purchasing and retiring renewable energy certificates representing the environmental attributes associated with the applicable amount of renewable energy generation from the area specified for your product.

**Q: If I have a plan with rewards, when will I receive my rewards from Liberty Power?**

A: XOOM Energy will ensure that you receive your rewards as promised, so you'll continue to get rewarded for being a valued customer.

**Q: Will my utility account number change?**

A: No. Your account number at your utility will stay the same.

**Q: Will my meter read cycle or utility charges change because of this transfer?**

A: No, you will continue under the same meter read schedule and you will receive your bill from <UTILITY> as you always have. The only change is that XOOM Energy will now be listed as your retail energy supplier.

**Q: Who is XOOM Energy?**

A: XOOM Energy is a leading competitive energy supply company that serves customers throughout North America. We strive to change the way people think about and use energy. Our parent company, NRG Energy, Inc., is a Fortune 500 company and a leader in producing smarter energy solutions. You can learn more about XOOM Energy as your new electricity supplier by visiting [myxoomenergy.com](http://myxoomenergy.com), calling 1-888-997-8979, or emailing [customercare@xoomenergy.com](mailto:customercare@xoomenergy.com).

1 XOOM Energy is a trade name of XOOM Energy [State], LLC (<<CommShortName>> Elec. License No.<<BrandLicense No>>). Liberty Power, LLC (Elec. License No.<<LibertyLicense No>>).

2 Customers who currently receive and pay separate bills for supply and delivery charges will continue to receive and pay separate bills - one from XOOM Energy for supply charges and one from their utility for delivery charges.

**Q: I am on a Budget Billing plan with <UTILITY>. How will this change impact me?**

A: Your utility company is responsible for calculating the Budget Billing amount for both supply and delivery charges. It is possible that they may true up your account once you are transferred to XOOM Energy which may result in a change to your budget bill amount and they may place a charge or credit on your bill to true up your account. You may want to contact them for specific information on how this will impact your budget billing plan.

1 XOOM Energy is a trade name of XOOM Energy [State], LLC (<<CommShortName>> Elec. License No.<<BrandLicense No>>). Liberty Power, LLC (Elec. License No.<<LibertyLicense No>>).

2 Customers who currently receive and pay separate bills for supply and delivery charges will continue to receive and pay separate bills - one from XOOM Energy for supply charges and one from their utility for delivery charges.