

XOOM Energy Texas, LLC
PUCT Certificate #10203
YOUR RIGHTS AS A CUSTOMER

Por favor refiérase a la parte interior de este documento para leer esta información en español.

This document summarizes Your Rights as a Customer and is based on customer protection rules adopted by the Public Utility Commission of Texas (PUC). These rules apply to all retail electric providers (REPs), including those affiliated with your Transmission and Distribution Service Provider (TDSP) (Affiliated REP) and the provider of last resort (POLR), unless otherwise noted. You may view the PUC's complete set of electric rules at <http://www.puc.state.tx.us/agency/rulesnlaws/subrules/electric/Electric.aspx>.

Reporting Outages: You should report outages directly to the TDSP in your area:

AEP – Texas Central	1-866-223-8508
AEP – Texas North	1-866-223-8508
CenterPoint Energy	1-800-332-7143 or 713-207-2222
Oncor	1-888-313-4747
Texas-New Mexico Power Company	1-888-866-7456

Complaint Resolution: Your REP should be contacted if you have questions, comments, or complaints. Your complaint will be promptly investigated and you will be advised of the results within 21 days. If you are not satisfied with the results of the investigation, you have the right to a supervisory review. The supervisory review decision will be communicated to you within 10 business days of your request. If you are not satisfied with the results of the initial investigation or the supervisory review, you may contact the PUCT and the Office of Attorney General, Consumer Protection Division at P.O. Box 13326, Austin, TX 78711-3326; **(512)936-7120** or Toll-Free **(888)782-8477** | Fax **(512)936-7003**. E-mail address: customer@puc.state.tx.us / Website: <http://www.puc.state.tx.us> TTY **(512)936-7136** / Relay Texas Toll-Free **(800)735-2989**.

During the complaint process, your REP will not initiate collection activities, including termination, or report delinquencies to a credit reporting agency with respect to the disputed portion of the bill. The customer must pay any undisputed portion of the bill and your REP can pursue termination for nonpayment after notice.

Meter Testing: You have the right to request a test of the accuracy of your meter at no charge provided that the meter has not been tested by the electric utility or by an authorized agency at the customer's request within a period of four years. If the meter has been tested per your requests more than once within a four-year period and the test finds the meter to be working properly, a fee may be charged, which represents the cost of testing at a rate specified in the approved tariffs for your Transmission Distribution Service Provider (TDSP).

Unauthorized Charges: Your REP may not charge you for any product or service without your authorization. You must be informed of the product or service, including all associated charges prior to billing. If you feel that your bill includes unauthorized charges, you should contact your REP to dispute the charges. Your REP will not terminate your electric service for nonpayment of an unauthorized charge, or file an unfavorable credit report against you for not paying charges that you feel were unauthorized unless the dispute regarding the unauthorized charges is ultimately resolved against you.

In the event that your REP erroneously files an unfavorable credit report against you for not paying charges that you feel were unauthorized, your REP must correct the credit report without delay.

Chronic Condition or Critical Care: A Chronic Condition or Critical Care Residential Customer is a residential customer for whom an interruption or suspension of electric service creates a serious or life-threatening condition. You have the right to apply for designation as a Chronic Condition or Critical Care customer. To obtain this designation, you must receive approval from the TDSP. To apply, you must complete the PUCT standardized Application for Chronic Condition or Critical Care Residential Customer Status and submit it to the TDSP.

Special Services: The PUCT offers services to allow comprehensive access to the telephone network by Texans who are deaf, deaf and blind, hard-of-hearing, or speech-disabled. TTY users may obtain access by dialing the Relay Texas number 711 or by dialing the Relay Texas TTY number, **1-800-RELAY TX (735-2989)**. There is no charge for using Relay Texas. However, you are responsible for paying for any long distance calls. This service is available for Texans 24 hours a day, 365 days a year.

Language Requirements: Your REP will provide the following information to an applicant or customer in English, Spanish, or the language used in the marketing of service, as designated by the applicant or customer.

- Terms of Service documents, Electricity Facts Label, customer bills, and customer bill notices
- Information on the availability of new electric services, discount programs, and promotions
- Access to customer service, including the restoration of electric service and response to billing inquiries

Unauthorized Change of Service Provider: If you feel that your service was switched without your consent, you should contact your REP. You may request verification of your authorization to switch. In the event proper authorization was not obtained, as promptly as possible following receipt of notice by the REP, the registration agent will facilitate your prompt return to your original REP, or REP of choice in the case of a move-in. The affected REPs, the registration agent, and the TDSP shall take all actions necessary to return you to your original REP, or REP of choice in the case of a move-in, as quickly as possible. The affected REPs, the registration agent, and the TDSP shall take all actions necessary to bill correctly all charges.

You may also file a complaint with the PUCT against your REP if you feel your service was switched without your authorization. Your REP will stop any collection activity related to the alleged unauthorized switch or move-in until the complaint has been resolved.

CUSTOMER PROTECTIONS

Disconnection of Service – With Notice:

As of June 1, 2004, the Public Utility Commission of Texas (PUCT) allows REPs to request disconnection of Customer's service if payment has not been received by the final due date. A REP having disconnection authority may authorize the disconnection of a customer's electric service after proper notice and not before the first day after the disconnection date in the notice for any of the following reasons:

- failure to pay any outstanding bona fide debt for electric service owed to the REP or to make deferred payment arrangements by the date of disconnection stated on the disconnection notice.
- failure to comply with the terms of a deferred payment agreement made with the REP;
- violation of the REP's terms and conditions on using service in a manner that interferes with the service of others or the operation of nonstandard equipment, if a reasonable attempt has been made to notify the customer and the customer is provided with a reasonable opportunity to remedy the situation;

- failure to pay a deposit as required by §25.478 of the Customer Protection Rules enacted by the PUCT (relating to Credit Requirements and Deposits); or
- failure of the guarantor to pay the amount guaranteed, when the REP has a written agreement, signed by the guarantor, which allows for disconnection of the guarantor's service.

Disconnection is prohibited for the following reasons:

- Delinquency in payment for electric service by a previous occupant of the premises if the occupant is not of the same household.
- Failure to pay for any charge that is not related to electric service.
- Failure to pay for a different type or class of electric service unless charges for such service were included on that account's bill at the time service was initiated.
- Failure to pay charges arising from an underbilling, except for charges related to theft of service.
- Failure to pay disputed charges until a determination as to the accuracy of the charges has been made by the REP.
- Failure to pay disputed charges while an informal complaint has been filed and is pending or a complaint that has been formally docketed with the PUCT is pending.
- Failure to pay charges arising from an underbilling due to any faulty metering, unless the meter has been tampered with.
- Failure to pay an estimated bill other than a bill rendered pursuant to an approved meter-reading plan, unless the bill is based on an estimated meter read by the TDSP.
- Your REP will not abandon you or a service area without advance written notice to you and the PUCT. In the event your REP terminates your service due to abandonment, your REP will not collect or attempt to collect penalties from you.
- Your REP will not terminate service for a billing period in which the provider receives a pledge, letter of intent, purchase order, or other notification that an energy assistance provider is forwarding sufficient payment to continue service, provided that such pledge, letter of intent, purchase order, or other notification is received by the due date stated on the termination notice, and the customer, by the due date in the termination notice, either pays or makes payment arrangements to pay any outstanding debt not covered by the energy assistance provider. If an energy assistance provider has requested historical usage data, your REP will extend the final due date on the termination notice, day for day, from the date the usage data was requested until it is provided.
- Your REP will allow at least 45 days for an energy assistance provider to honor a pledge, letter of intent, purchase order, or other notification.

Disconnection of Service – Without Notice: Electric service may be disconnected without notice for the following reasons:

- A known dangerous condition exists. Prior notice will be given if possible. Notice will be provided by phone or posted on the door of the residential unit as soon as practicable after service is disconnected. If service was disconnected because a dangerous condition existed, you must correct the situation to have your service reconnected. Once you notify your REP that corrective action has been taken, service can be reconnected.
- Service was connected by a person without authority and without an Agreement.
- Service is reconnected without authority after being disconnected for failure to pay.
- There is evidence of tampering with equipment of the transmission or Local Distribution Utility, municipally owned utility or electric cooperative.
- There is evidence of theft of service.

Disconnection is prohibited for the following reasons:

- Delinquency in payment for electric service by a previous occupant of the premises.
- Failure to pay for any charge that is not for electric service regulated by the PUCT, including competitive energy service, merchandise, or optional services.
- Failure to pay for a different type or class of electric service unless charges for such service were included on that account's bill at the time service was initiated.
- Failure to pay charges resulting from an underbilling, except theft of service, more than six months prior to the current billing.
- Failure to pay disputed charges, except for the amount not under dispute, until a determination as to the accuracy of the charges has been made by the REP or the PUCT, and the customer has been notified of this determination.
- Failure to pay charges arising from an underbilling due to any faulty metering, unless the meter has been tampered with.
- Failure to pay an estimated bill other than a bill rendered pursuant to an approved meter-reading plan, unless the bill is based on an estimated meter read by the TDSP.

Involuntary Suspension or Disconnection: If service was disconnected because a dangerous situation existed, you must correct the situation to have your service reconnected. Once you notify your REP that corrective action has been taken, service can be reconnected. If your service was disconnected for nonpayment, you must correct the reasons for the disconnection. Once corrected, your TDSP will be notified to reconnect your service. Prior to disconnection, you will continue to receive service according to the Terms of Service that were in effect.

Financial and Energy Assistance: If you express an inability to pay your bill or you need assistance with your bill payment, you may be eligible for payment assistance. Customers who receive food stamps, Medicaid, AFDC or SSI from the Texas Department of Human Services or whose household income is not more than 125% of the federal poverty guidelines may qualify for energy assistance. You should contact your REP for information.

Payment Assistance: Your REP will implement a bill payment assistance program that will solicit voluntary donations from customers through its retail electric bills. An assistance agency will be selected to disburse funds and the agency will not discriminate in the distribution of funds to customers based on race, creed, color, national origin, ancestry, sex, marital status, lawful source of income, disability, familial status, location of customer in an economically distressed geographic area, or qualification for the low-income discount program or energy efficiency services.

Do Not Call List: Beginning January 1, 2002, customers may add their name, address, and telephone number to a state-sponsored electric no-call list that is intended to limit the number of telemarketing calls received relating to the customer's choice of REPs. You may sign up at <http://www.texasnocall.com/>. For an application or to register by phone, call toll-free **1-866-TXNOCAL(L) (1-866-896-6225)**.

Payment Arrangements: If you cannot pay your bill, you should contact your REP immediately. You may be eligible for a short-term payment arrangement that allows you to pay your bill after your due date, but before your next bill is due. You must fulfill your arrangement to avoid termination of service.

Deferred Payment Plan: A deferred payment plan allows you to pay an outstanding bill in installments that extend beyond the due date of your next bill. A deferred payment plan may be established in person or by telephone, but all deferred payment plans shall be confirmed in writing.

- Your REP will offer a deferred payment plan to customers, upon request, for bills that become due during an extreme weather emergency.
- Your REP will offer a deferred payment plan to a customer who has been underbilled.
- For customers who have expressed an inability to pay, a REP shall offer a deferred payment plan unless the customer has been issued more than two termination or disconnection notices during the preceding 12 months, has received service from the REP for less than three months, and the customer lacks sufficient credit or a satisfactory history of payment for electric service from a previous REP (or its predecessor electric utility).
- Any deferred payment plans offered by a REP will not refuse a customer's participation due to discriminatory factors.
- A deferred payment plan offered by a REP for customers who have expressed an inability to pay and have received a termination notice will provide that the delinquent amount be paid in equal installments over at least three billing cycles, unless the customer requests a lesser number of installments. Your REP may require an initial payment not to exceed 25% of the delinquent amount of the outstanding balance to initiate the agreement, with the remainder to be paid in equal installments over at least the next three billing cycles.

Privacy Rights: Your REP will not release confidential information to any other person, including an affiliate of the REP, without obtaining your authorization. Under no circumstances will a REP sell, make available for sale, or authorize the sale of any customer-specific information.

This exclusion will not apply to the release of such information by a REP to:

- The PUCT in pursuit of its regulatory oversight or the investigation and resolution of customer complaints
- An agent, vendor, partner, or affiliate of the REP engaged to perform any services for or functions on behalf of the REP
- A consumer reporting agency as defined by the Federal Trade Commission
- An energy assistance agency to allow a customer to qualify for and obtain other financial assistance provided by the agency
- Local, state, and federal law enforcement agencies
- The TDSP within whose geographic service territory the customer is located
- The Office of the Public Utility Counsel
- The release of a mass customer list; however, a customer will receive notice and be provided with the option of not being included on the list
- The registration agent, another REP, a provider of last resort, or TDSP as necessary to complete a required market transaction, under terms approved by the PUCT
- The registration agent or a TDSP in order to effectuate a customer's move-in, transfer, or switch

Credit Requirements and Deposits:

Initial Deposits: A customer may be required to pay a security deposit to his or her REP prior to receiving electric service if the customer is unable to demonstrate creditworthiness as specified in § 25.478 of the PUCT Substantive Rules. If a security deposit is required, it will not be more than the greater of (i) the sum of the customer's next two months' estimated usage, or (ii) one-fifth (1/5) of the customer's estimated annual billing. The security deposit will be refunded to the customer as a credit to the invoice unless the customer has been late paying a bill during the last 12 months of service.

Customer's properly verifying eligibility in low income discount programs may pay any required deposit in excess of \$50 in two equal installments. The first installment is payable no sooner than 10 days and the second installment is payable no sooner than 40 days from the date of the Company's issuance of written notice to the applicant of the deposit requirement. Any security deposits shall be kept in a separate account and shall not be comingled with the REP's funds. The REP may require an additional deposit if the customer was late paying a bill more than once during the last 12 months of service or had his or her service terminated or disconnected for nonpayment during the last 12 months of service.

Additional Deposits: Additional deposits may be requested of an existing customer if:

1. the average of the customer's actual billings for the last 12 months are at least twice the amount of the original average of the estimated annual billings; and
2. a termination or disconnection notice has been issued or the account disconnected within the previous 12 months.

A REP may require the customer to pay an additional deposit within ten days after the REP has requested the additional deposit. A REP may disconnect service if the additional deposit is not paid within ten days of the request, provided a written disconnection notice has been issued to the customer. A disconnection notice may be combined with or issued concurrently with the written request for the additional deposit.

Interest on Deposits: Each electric utility requiring deposits shall pay interest on these deposits at an annual rate at least equal to that set by the PUCT on December 1 of the preceding year, pursuant to Texas Utilities Code §183.003 (relating to Rate of Interest). If a deposit is refunded within 30 days of the date of deposit, no interest payment is required. If the electric utility keeps the deposit more than 30 days, payment of interest shall be made retroactive to the date of deposit.

1. Payment of the interest to the customer shall be made annually, if requested by the customer, or at the time the deposit is returned or credited to the customer's account.
2. The deposit shall cease to draw interest on the date it is returned or credited to the customer's account.

Statement of Non-Discrimination: No electric utility or retail electric provider shall discriminate on the basis of race, creed, color, national origin, ancestry, sex, marital status, lawful source of income, level of income, disability, or familial status. No electric utility or retail electric provider shall unreasonably discriminate on the basis of geographic location.

Contact Information:

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xoomenergy.com

Customer Care Hours:

Monday through Friday:

9:30 am – 8:30 pm (CST)