

Control Number: 43718



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

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PUBLIC UTILITY COMMISSION  
FILING CLERK

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

**DOCKET NUMBER: 43718**

**Applicant**

**Applicant Name:** Acacia 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.: ] 10137

(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).

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Name Change amendment | <input type="checkbox"/> Corporate Restructuring                       |
| <input type="checkbox"/> Change in Ownership/Control      | <input type="checkbox"/> Change in Technical/Managerial Qualifications |
| <input type="checkbox"/> Change in Service Area           | <input type="checkbox"/> Change in Financial Qualifications            |
| <input type="checkbox"/> Change in Type of Provider       | <input type="checkbox"/> Other (Explain in "c" below)                  |
| <input type="checkbox"/> Relinquishment of Certification  |  |

(c) Provide an explanation of the Amendment:

Company name change from Acacia Energy LLC to New Era Energy Services LLC and the addition of Acacia Energy as a d/b/a.

## PART A – COMPANY ADMINISTRATIVE INFORMATION

### A-1. Application Contact Information

<b>Contact Name:</b> Ken Galterio		<b>Title:</b> Director of Finance	
<b>Street or Mailing address:</b> 11011 Brooklet Dr			
<b>Mailing address (Suite, Floor or Room):</b> Suite 220			
<b>City:</b> Houston		<b>State:</b> TX	<b>Zip Code:</b> 77099
<b>Phone No.:</b> (281) 617-2808	<b>Fax No.:</b> (832) 553-7675	<b>Toll Free No.:</b> (877) 997-2946	
<b>Email:</b> ken.galterio@acaciaenergy.com		<b>Web Address:</b> www.acaciaenergy.com	

### A-2. Authorized Representative Contact Information

<b>Contact Name:</b> Rachel Rodriguez		<b>Title:</b> Director of Operations	
<b>Street or Mailing address:</b> 11011 Brooklet Dr			
<b>Mailing address (Suite, Floor or Room):</b> Suite 220			
<b>City:</b> Houston		<b>State:</b> TX	<b>Zip Code:</b> 77099
<b>Phone No.:</b> (281) 617-2620	<b>Fax No.:</b> (281) 715-4059	<b>Toll Free No.:</b> (877) 997-2946	
<b>Email:</b> rachel.rodriguez@acaciaenergy.com		<b>Web Address:</b> www.acaciaenergy.com	

### A-3. Regulatory Representative Contact Information

<b>Contact Name:</b> Kevin Lapierre		<b>Title:</b> Chief Operations Officer	
<b>Street or Mailing address:</b> 11011 Brooklet Dr			
<b>Mailing address (Suite, Floor or Room):</b> Suite 220			
<b>City:</b> Houston		<b>State:</b> TX	<b>Zip Code:</b> 77099
<b>Phone:</b> (281) 387-6706	<b>Fax No.:</b> (281) 715-4059	<b>Toll Free No.:</b> (877) 604-2090	
<b>Email:</b> kevin.lapierre@acaciaenergy.com		<b>Web Address:</b> www.acaciaenergy.com	

### A-4. Complaint Representative Contact Information

<b>Contact Name:</b> Anna Dominguez		<b>Title:</b> Operations Supervisor	
<b>Street or Mailing address:</b> 11011 Brooklet Dr			
<b>Mailing address (Suite, Floor or Room):</b> Suite 220			
<b>City:</b> Houston		<b>State:</b> TX	<b>Zip Code:</b> 77099
<b>Phone No.:</b> (512) 879-1637	<b>Fax No.:</b> (281) 715-4059	<b>Toll Free No.:</b> (877) 997-2946	
<b>Email:</b> anna.dominguez@acaciaenergy.com		<b>Web Address:</b> www.acaciaenergy.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: Rachel Rodriguez		TITLE: Director of Operations	
Office No: (281) 617-2620	Fax No: (281) 715-4059	Toll Free No: (877) 997-2946	
Cell No: (832) 684-7585		Home No:	
EMAIL: rachel.rodriguez@acaciaenergy.com		WEBSITE: www.acaciaenergy.com	

SECONDARY CONTACT: Kevin Lapierre		TITLE: Chief Operations Officer	
Office No: (281) 617-2808	Fax No: (281) 715-4059	Toll Free No: (877) 529-3664	
Cell No: (281) 387-6706		Home No:	
EMAIL: kevin.lapierre@acaciaenergy.com		WEBSITE: www.acaciaenergy.com	

TERTIARY CONTACT:		TITLE:	
Office No:	Fax No:	Toll Free No:	
Cell No:		Home No:	
EMAIL:		WEBSITE:	

**A-6. Principal Company Information**  
**(a). Physical Address**

<b>Company Name:</b> New Era Energy Services, LLC (fka Acacia Energy LLC)			
<b>Primary Contact:</b> Rachel Rodriguez		<b>Title:</b> Director of Operations	
<b>Physical Address:</b> 11011 Brooklet Dr - Suite 220			
<b>City:</b> Houston		<b>State:</b> TX	<b>ZIP:</b> 77099
<b>Email:</b> rachel.rodriguez@acaciaenergy.com		<b>Website:</b> www.acaciaenergy.com	
<b>Phone:</b> (281) 617-2620		<b>Fax:</b> (281) 715-4059	<b>Toll Free:</b> (877) 997-2946

**(b). Mailing Address (if different from Physical Address)**

<b>Company Name:</b>			
<b>Contact:</b>		<b>Title:</b>	
<b>Mailing Address:</b>			
<b>City:</b>		<b>State:</b>	<b>ZIP:</b>
<b>Email:</b>		<b>Website:</b>	

**(c). Texas Office Address**

<b>Company Name:</b> New Era Energy Services, LLC (fka Acacia Energy LLC)			
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<b>Contact:</b> Rachel Rodriguez		<b>Title:</b> Director of Operations	
<b>Address:</b> 11011 Brooklet Dr - Suite 220			
<b>City:</b> Houston		<b>State:</b> TX	
		<b>ZIP:</b> 77099	
<b>Email:</b> rachel.rodriguez@acaciaenergy.com		<b>Website:</b> www.acaciaenergy.com	
<b>Phone:</b> (281) 617-2620		<b>Fax:</b> (281) 715-4059	
		<b>Toll Free:</b> (877) 997-2946	

**A-7. Directors, Officers, or Principals Information – (Provide a list of the names, titles, phone number and office email)**

<b>Name:</b> David Dorwart	<b>Title:</b> CEO	<b>Phone:</b> (484) 354-1923	<b>Email:</b> david.dorwart@acaciaenergy.com
<b>Name:</b> Kevin Lapierre	<b>Title:</b> COO	<b>Phone:</b> (281) 387-6706	<b>Email:</b> kevin.lapierre@acaciaenergy.com
<b>Name:</b>	<b>Title:</b>	<b>Phone:</b>	<b>Email:</b>
<b>Name:</b>	<b>Title:</b>	<b>Phone:</b>	<b>Email:</b>
<b>Name:</b>	<b>Title:</b>	<b>Phone:</b>	<b>Email:</b>

**A-8. Certificated Name(s)**

**(a). Primary Name on Certificate**

<b>Primary Certificate Name:</b> New Era Energy Services, LLC
<b>Texas Secretary of State (or County) File Number:</b> 801271643
<b>Date and State where Business was established:</b> 5/19/2010 Texas
<b>Texas Comptroller's Tax ID. Number:</b> 32020334218
<b>Other Applicable Certification/File Numbers:</b>

**(b). EXISTING Approved Certificate Names (if applicable)(Maximum of 5 d/b/as)**

<b>PUC Approved Name:</b> Vital Power
<b>PUC Approved Name:</b> Snap Energy
<b>PUC Approved Name:</b> Now Power
<b>PUC Approved Name:</b>
<b>PUC Approved Name:</b>

**(c). REQUESTED Certificate Names (if applicable)(Maximum of 5 d/b/as)**

<b>Name:</b> Acacia Energy	<b>Texas SoS File No.</b> 801271643	<b>Date Active:</b> 9/29/2014
<b>Name:</b>	<b>Texas SoS File No.</b>	<b>Date Active:</b>
<b>Name:</b>	<b>Texas SoS File No.</b>	<b>Date Active:</b>

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

## PART B – SERVICE AREA

### B-1. Certificated Service Area

#### (a). Option 1 REP – Service Area by Geography (Select Only One)

- Entire State of Texas
- By Service Area of one or more Transmission and Distribution Utilities (TDUs), Municipal Utilities, or Electric Cooperatives (Identify each requested utility and cooperative):
- Geographic Area of one or more Independent Organization within Texas (e.g. ERCOT) (Identify each organization):
- Specific Geographic Area. (Identify on Attachment B-1 the Zip Codes defining the requested service area.):

#### (b). Option 2 REP – Service Area by Customer (Select Only One)

- Provide as Attachment B-2 the affidavit from each customer required by §25.109(d)(2). (Identify the customer):

#### (c). Option 3 REP – Service Area by Customer (Select Only One)

- Provide as Attachment B-3 the affidavit which states that the Applicant is in compliance with §25.107(d)(3), §25.109, §25.211, and §25.212 (Registration of PGC, Registration of Distributed Generation, and compliance with National electric safety code and local building codes.) (Identify the entities involved):

## PART C – FINANCIAL REQUIREMENTS

### C-1. Access to Capital – An Applicant must choose one of the three methods below to demonstrate that the Applicant meets the capital requirements stated in §25.107(f)(1)

- Investment Grade Credit Rating.** If the Applicant elects to meet the requirements of §25.107(f)(1)(A)(i), provide as Attachment C-1 the documentation required by §25.107(f)(4)(A)

State of: Texas §

§

County of: Harris §

My name is Kevin Lapierre. 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, or amendment to, a Retail Electric Provider (REP), that I am competent to testify to those facts, 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 are true and correct.

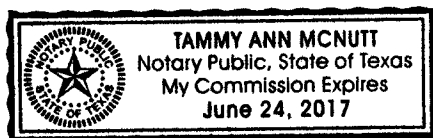
I swear or affirm that the Applicant has provided all information as an attachment to this application regarding any current principal or permanent employee that was a principal of a REP that experienced a mass transition of its customers to a Provider of Last Resort (POLR). Included in such information will be a disclosure of any settlements regarding outstanding debts defaulted upon by such principal's REP, including the return of any owed customer deposits and any additional relevant information related to that default.

Kevin Lapierre  
Signature

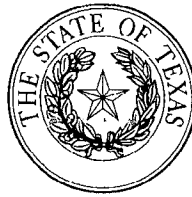
Kevin Lapierre  
Typed or Printed Name

Chief Operations Officer  
Title of Signatory

SWORN TO AND SUBSCRIBED before me on the 11/24/14



Tammy A McNutt  
Notary Public in and For the State of Texas.  
My commission expires on: 6/24/17.



## Office of the Secretary of State

### CERTIFICATE OF FILING OF

New Era Energy Services, LLC  
801271643

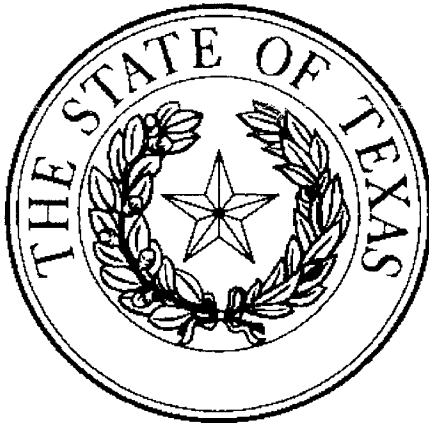
[formerly: Acacia Energy, LLC]

The undersigned, as Secretary of State of Texas, hereby certifies that a Certificate of Amendment for the above named entity has been received in this office and has been found to conform to the applicable provisions of law.

ACCORDINGLY, the undersigned, as Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing filing effective on the date shown below.

Dated: 09/29/2014

Effective: 09/29/2014



*NANDITA BERRY*

Nandita Berry  
Secretary of State





## Office of the Secretary of State

### CERTIFICATE OF FILING OF

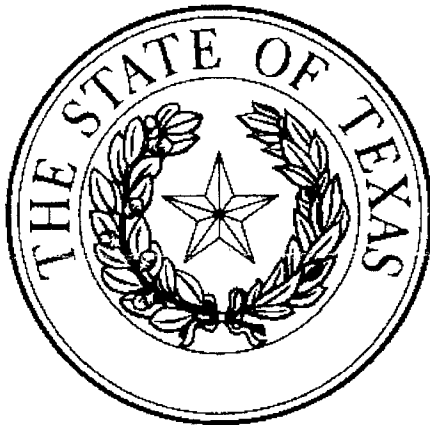
New Era Energy Services, LLC  
File Number: 801271643  
Assumed Name:  
Acacia Energy

The undersigned, as Secretary of State of Texas, hereby certifies that the assumed name certificate for the above named entity has been received in this office and filed as provided by law on the date shown below.

ACCORDINGLY the undersigned, as Secretary of State, and by virtue of the authority vested in the secretary by law hereby issues this Certificate of Filing.

Dated: 09/29/2014

Effective: 09/29/2014



*NANDITA BERRY*

Nandita Berry  
Secretary of State