



## YOUR RIGHTS AS A CUSTOMER – ELECTRIC SUPPLY

This document summarizes Your Rights as a Customer and is based on customer protection rules adopted by the Public Utility Commission of Texas (PUCT). These rules apply to all retail electric providers (REPs) and the provider of last resort (POLR), unless otherwise noted. You may view the PUCT's rules at <http://www.puc.texas.gov/agency/rulesnlaws/subrules/electric/Electric.aspx>.

Name	David Energy Supply (Texas) LLC
PUCT Certificate #	10309
Website	<a href="http://www.davidenergy.com">www.davidenergy.com</a>
Email Address	<a href="mailto:texas@davidenergy.com">texas@davidenergy.com</a>
Mailing Address	417 Grand Street Brooklyn, NY 11211
Telephone No.	Toll-Free: (855) 524-0270
Fax No.	(646) 693-6422
Hours of Operation	Monday-Friday, 9am – 7pm ET
Public Utility Commission of Texas (PUCT) Contact Information	P.O. Box 13326, Austin, Texas 78711-3326 Tel.: (512) 936-7120 Toll-free: (888) 782-8477 (Texas only) Hearing and speech-impaired individuals with text telephones (TTY): (512) 936-7136.
Utility Emergency Service Contact Information	Oncor Electric Delivery: (888) 313-4747 CenterPoint Energy: (800) 332-7143 or (713) 207-2222 Texas New Mexico Power: (888) 866-7456 AEP Texas Central or AEP Texas North: (866) 223-8508

### SERVICE & ACCESS

- 1. Protections Relating to Disconnection of Service (§25.483).** A REP having disconnection authority Disconnection of Service: The PUCT has provided that under certain dangerous circumstances (such as unsafe electric line situations) any REP, including the POLR, may authorize your utility to disconnect your electric service without prior notice to you. Additionally, David Energy may seek to have your electric service disconnected for any of the reasons listed below:
  - Failure to pay a bill owed to David Energy or to make a deferred payment arrangement by the disconnection date set out in the disconnection notice
  - Failure to comply with the terms of a deferred payment agreement made with David Energy or the POLR
  - Using service in a manner that interferes with the service of others or the operation of nonstandard equipment
  - Failure to pay a deposit required by David Energy or the POLR
  - Failure of the guarantor to pay the amount guaranteed when David Energy or the POLR has a written agreement, signed by the guarantor, which allows for the disconnection of the guarantor's service.

Prior to disconnecting your service, David Energy or the POLR must provide you a disconnection notice. This notice must be mailed to you separately no earlier than the first day after the date your bill is due. The disconnection date must be no earlier than 10 days from the date the notice is issued and may not fall on a holiday or weekend or the day preceding unless personnel are available to take

payments and service can be reconnected. David Energy or the POLR may not seek to have your electric service disconnected by your utility for any of the reasons listed under the Disconnection of Service portion of this document. Additionally, David Energy or the POLR may not disconnect your electric service:

- For non-payment during an extreme weather emergency and must offer you a deferred payment plan for bills due during the emergency
- For non-payment if you inform David Energy or the POLR, prior to the disconnection date stated on the notice, that a permanent resident on the premises has a critical or chronic need for electric service. However, to obtain this exemption, you must enter into a deferred payment plan with David Energy or the POLR and have the ill-person's attending physician contact David Energy or the POLR and submit a written statement attesting to the necessity of electric service to support life or prevent a significant deterioration of condition. This exemption from disconnection due to critical care shall be in effect for 63 days and may be applied for again after the 63 days has expired and the deferred payment plan has been fulfilled.

2. **Restoring Service / Reconnection After Involuntary Suspension or Disconnection (§25.214)**. You have the right to be reconnected as quickly as possible upon the satisfactory correction of the reasons for disconnection. David Energy shall inform you when reconnection is expected to occur. David Energy will continue to serve you under the terms and conditions of service in effect prior to issuance of the disconnection notice.
3. **Availability of Provider of Last Resort (POLR)**. If you are notified that you are subject to termination or disconnection of your electric service, you may seek to obtain services from another REP or the POLR. You have the option to request service from the POLR, which offers a standard retail service package. Information about the POLR and other REPs can be obtained from the PUC or the POLR.
4. **Meter Testing (§25.124)**. You have the right to request your utility to test the accuracy of your electric meter at no charge every four years, during the utility's normal working hours and scheduled to accommodate your availability. You also have the right for your REP to make the request on your behalf, and the right to be instructed on how to read the meter.
5. **Procedures During Involuntary Load Shedding**. If there's a situation where there's not enough electricity supply to meet customer demand (load), the Electric Reliability Council of Texas (ERCOT) may instruct your TDU company to implement temporary service interruptions. This is done to help protect the electric grid and is known as involuntary load shedding, and it will be conducted based on the TDU's procedures. **For more information please visit [www.davidenergy.com](http://www.davidenergy.com).**
6. **Emergency Service**. The TDU will continue to respond to leaks and emergencies. In the event of a gas leak, service interruption or other emergency, Customer should immediately call the TDU at the numbers listed at the top of this document.

## **PAYMENT & BILLING**

7. **Payment arrangements & deferred payment policies (§25.480)**. You have the right to contact David Energy if you cannot pay a bill or need for assistance with the bill payment, and to be informed

of all applicable payment options and payment assistance programs that are offered by or available, such as bill payment assistance, deferred payment plans, disconnection moratoriums for the ill, or low-income energy assistance programs, and of the eligibility requirements and procedure for applying for each. **For more information on available payment arrangements, please email or call us at (855) 524-0270.**

8. **Discounts for Low-Income Customers (Residential)**. If you are a low-income customer, you have the right to select from available payment plans, including budget payment plans. **For more information on available plans and ways to pay, please email us at [texas@davidenergy.com](mailto:texas@davidenergy.com).**
9. **Right to Dispute Unauthorized Charges (§25.481)**. The customer must clearly and explicitly consent to obtaining the product or service offered and to having the associated charges appear on the customer's electric bill. If the customer believes the bill includes unauthorized charges, the customer should contact the REP to dispute such charges and, if not satisfied with the REP's review may file a complaint with the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326, (512) 936-7120 or toll-free in Texas at (888) 782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136.

#### **ADDITIONAL RIGHTS & PROTECTIONS**

10. **Unauthorized Change of Retail Electric Provider (§25.495)**. You cannot have your supplier changed without your express consent. If you are switched from one supplier to another without your authorization, you may have been "slammed" which is prohibited by law. If you are slammed, you must pay only what you would have paid the supplier you authorized to provide your electric service. If you feel you have been slammed or have questions about a supplier's license, call the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326, (512) 936-7120 or toll-free in Texas at (888) 782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136.
11. **Chronic & Critical Care Condition Customers (Residential) (§25.497)**. If you are a residential customer designated as chronic condition or critical care under [§25.497](#), you are entitled to special protections. To apply to be considered as chronic condition or critical care your physician must submit a form to the TDU. **To request a copy of this form, please contact David Energy at [texas@davidenergy.com](mailto:texas@davidenergy.com)**
12. **Non-English Language Requirements (§25.473)**. A REP shall 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. (1) Terms of service documents, Electricity Facts Label, customer bills, and customer bill notices; (2) information on the availability of new electric services, discount programs, and promotions; and (3) access to customer service, including the restoration of electric service and response to billing inquiries. **Para recibir una copia de este acuerdo en español, envíe un correo electrónico a [texas@davidenergy.com](mailto:texas@davidenergy.com) o llama al (855) 524-0270.**
13. **Availability of Do Not Call List (§25.484)**. Customers have the right to 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 expect to stop receiving calls 60 days after registration. The PUC maintains a "Do Not Call List" of customers who

do not want to receive telemarketing calls for electric service. Call toll-free 1-866-TXNOCAL(L) or 1-866-896-6225, or visit the PUC website at [www.puc.state.tx.us](http://www.puc.state.tx.us) to subscribe to the Do Not Call List.

14. **Privacy Rights Regarding Customer Proprietary Information (§25.472)**. You have the right to have your personal or business records kept confidential by David Energy and by your TDU unless you give written consent to have them disclosed. This includes your name, address, account number, type or classification of service, historical electricity usage, expected patterns of use, types of facilities used in providing service, individual contract terms and conditions, price, current charges or billing records. This prohibition does not apply to the release of your information under certain circumstances as required by law, including release to the PUC, an agent of your REP, consumer reporting agencies, law enforcement agencies or your TDU. David Energy does not share your information with third parties for the purpose of marketing such party's products or services to you. In addition, this prohibition does not apply to the release of prior historical usage upon request and authorization of a current customer or applicant of a premise. Industrial and commercial customers may contact their REP or TDU and designate that their prior historical usage is competitively sensitive in order to prevent the release of this information.
  
15. **Dispute Resolution**. The services provided by David Energy to Customer are governed by the terms and conditions of this Agreement. In the event of a billing dispute or a disagreement involving David Energy's service hereunder, the parties will use their best efforts to resolve the dispute. Customer should contact David Energy by telephone or in writing. Customer must pay the bill in full, except for the specific disputed amount, during the pendency of the dispute, and such payment shall be refunded if warranted by the decision of the Public Utility Commission of Texas (PUC).
  
16. **Special Services**. If you have a physical disability or require special assistance regarding your electric account, please contact David Energy to inquire about the process to become qualified for any special services that may be available for you.