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Filed Date - 2025-09-05 04:18:16 PM

Control Number - 26280

Item Number - 1794

Public Utility Commission of Texas

ANNUAL REPORT FORM FOR AGGREGATORS IN THE TEXAS RETAIL ELECTRIC MARKET

(INSTRUCTIONS)

The **sworn** Annual Report must be submitted to:

Central Records Filing Clerk
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7180
(512) 936-7188 FAX

This report shall be filed annually in Central Records by September 1 of each year, reporting information for the previous twelve month reporting period covering July 1 to June 30. The report should be filed in Project Number 26280, *Aggregator Annual Reports*. **Four copies (three copies and one original) of the Annual Report for Aggregators, including attachments,** must be presented upon filing. Other filing requirements are prescribed in the Commission's Procedural Rules, most notably, § 22.71 and § 22.72, which can be found on the Commission's web site, <www.puc.state.tx.us>. All information should be filed in searchable, electronic format, if applicable. Because minor changes may be made periodically to this report form, the Aggregator should check the web site yearly for the most current form before filing each annual submittal.

Annual Reporting on an Ongoing Basis

Commission rules, most notably P.U.C. Subst. R. 25.111, specifically require Aggregators to keep their registration information on file with the Commission up to date. Aggregators should review § 25.111 carefully to make sure all necessary updates have been filed.¹ This form assumes the Aggregator has made the appropriate filings to keep its registration up-to-date and, rather than requesting the refilling of update information, the form requests in *Part 4*, Question 7 a list of all such filings. The list serves to assist Staff, OPC, and other interested parties in readily locating the current status of the Aggregator's registration, which may have involved several different project numbers and filings.

¹ The Aggregator should review § 25.111(i) to make sure it has updated its registration in the timely manner specifically required by rule. If any of the Subsection (i) items have been missed, or if any other registration information is not current, the Aggregator should file the updates with this report. The primary Subsection (i) items subject to timely update include (in brief): business name, address, telephone number, material changes to registration, sworn affidavit regarding financial qualifications within 90 days of taking first customer prepayment, changes in status regarding the taking of prepayments, and transfer of registration. Additional items from the *Aggregator Registration Form* that should be kept up to date include primary place of business if different from Texas business address, agent for service of process, customer service contact, regulatory contact, officer, affiliates and subsidiaries.



All questions should be answered with regard to occurrences in the reporting period (and thereafter, if specified). If the Aggregator is making its first annual report since it initially registered, it should address the period "since its initial registration" when the question references the period "since its last report."

Confidential Information

Information provided to the Commission is subject to disclosure as public information unless the information or specific parts of the information can be shown to be exempt from disclosure under Chapter 552 of the Texas Government Code (especially §552.133), commonly known as the Public Information Act (the Act). Aggregators are advised to consult legal counsel regarding disclosure issues and to take appropriate precautions to safeguard their trade secrets and any other proprietary information. The Commission assumes no obligation for asserting legal arguments on behalf of Aggregators. Confidential information must be submitted in accordance with P.U.C. PROC. R. 22.71(d), *Filing of... Confidential Information*. Aggregators may not mark their entire response as confidential. The Commission believes that little of the information requested from the Aggregator will be subject to an exemption under the Act.

If an Aggregator believes that the response to any question is confidential in nature, then the Aggregator must so specify. Each page of the confidential material must be marked "CONFIDENTIAL". Two copies of this confidential information shall be sealed in separate 10 x 13" manila clasp envelopes clearly labeled pursuant to the label provided and submitted to Central Records along with the Annual Report.

The Aggregator must submit in writing specific detailed reasons, including relevant legal authority, stating why the Aggregator believes the material to be confidential. Vague and general claims to confidentiality will not be accepted. The Commission will be the sole judge as to whether a claim is general or vague in nature. All responses that are not marked as confidential and submitted according to P.U.C. PROC. R. 22.71(d), will be automatically considered public information and treated as such.

Based on its experience with Aggregator registration dockets, the Commission anticipates that responses to several questions may be confidential in nature and notes them accordingly. Any confidential attachment(s) submitted by the Aggregator must reference the specific part and question of the report to which they apply, and should be numbered accordingly; e.g., "Attachment C-4-a-I" or "Attachment C-5-b."

Complete, Truthful, and Timely Filing

All responses to the questions in this annual report form must be made in a complete, truthful, and timely manner. Failure to provide true and complete responses to all questions on a timely basis may result in administrative penalties, suspension of registration, or revocation of registration.

A cover letter should be attached to the Annual Report that clearly shows the Aggregator's legal name and the project number in which it is filed, in Project No.26280. This letter should reveal if there is any confidential material or other special information that is included in the filing. In the Annual Report itself, responses should be displayed between, and clearly distinguishable from, the questions on the form.

The Aggregator must respond to every question applicable to its aggregator class(es) in the report with a complete, declarative sentence. Do not leave questions blank. An answer of "not applicable" or "n/a" will be considered non-responsive. A response of "No" or "none" should be part of a statement that affirms or denies the question.

The Aggregator Annual Report Form is organized into the following parts:

Part A: General Information

(Applicable to all Aggregators)

Part B: Technical and Customer Protection Information

(Applicable to Class I, II.A, and II.D Aggregators)

Part C: Financial Information

(Applicable to Class I, II.A, and II.D Aggregators)

Affidavit

(Applicable to all Aggregators)

Chart A – Aggregation Information

(Applicable to Class I, II.A, and II.D Aggregators)

This report form was approved by the Commission on July 11, 2002 in Project No. 25317. Background on the development of this form, including an initial draft posted for comment, may be found on the Project No. 25317 summary page on the Commission's website <<http://www.puc.state.tx.us/electric/projects/25317/25317.cfm>>. Comments filed by interested parties are accessible via the Commission's web-based Interchange filings retrieval system at <<http://www.puc.state.tx.us/interchange/index.cfm>>.

Do not file these instructions with the report.

ANNUAL REPORT FORM FOR AGGREGATORS

FOR REPORTING PERIOD OF July 1, 2023 to June 30, 2024 FOR

AGGREGATOR REGISTRATION NO. 80163

FILED IN PROJECT NO. 26280, *Aggregator Annual Reports*

Part A: General Information

Part A is applicable to all Aggregators operating in the State of Texas.

1. **Aggregator Names:** Provide the Aggregator's legal name under which it is registered with the Commission, as well as any other trade or commercial names under which the Aggregator provides services.

ACCLAIM ENERGY, LTD

2. **Contact Person for this Annual Report:** Provide name, title, address, telephone number, facsimile transmission number, and e-mail address.

John D. Elder, III
President/CEO
1321 Upland Dr. #18060
Houston, TX 77043
jelder@acclaimenergy.com

3. **Aggregator Classification.** Under which classifications is the Aggregator currently registered: *Class I, Class II.A, Class II.B, Class II.C, and/or Class II.D?*

Class I, Class II.A, Class II.D

4. **Scope of Registration.** If a Class I, Class II.A, or Class II.D, did the Aggregator register pursuant to §25.111(f)(1), the *Standard Registration* allowing aggregation of customers of any size, or pursuant to §25.111(f)(2), the *Alternative Limited Registration* (limited to customers contracting for 250 kilowatts peak demand)?

Acclaim completed the *Standard Registration* allowing aggregation of customers of any size.

5. **Activity with Customers.** Which of the following statements describe the Aggregator, the services it performs, and the customers it serves? (List all that are applicable: 5.a, 5.b, 5.c, 5.d, and/or 5.e). If more than one of these statements apply, explain how the Aggregator separates and distinguishes each activity from the other(s) to ensure compliance with § 25.111(d), which specifies different operational parameters for each class of aggregator.
- a. A person² that aggregates private³ customers.
 - b. A person that aggregates municipalities and/or other political subdivisions.
 - c. A political subdivision corporation⁴ that aggregates municipalities and/or other political subdivisions.
 - d. A municipality or other political subdivision that aggregates its citizens.
 - e. An administrator of citizen aggregation

ACCLAIM uses a proprietary database to track each client served and the corresponding registration class the client belongs to.

² The definition of "person" includes an Individual, Partnership, Corporation, or Mutual or Cooperative Association, but not a Political Subdivision Corporation, municipal corporation, electric cooperative, county, hospital district, or other political subdivision.

³ In this question, "private" customers are any that are not a Political Subdivision Corporation, municipal corporation, county, hospital district, or other political subdivision.

⁴ A Political Subdivision Corporation is a specific arrangement among municipalities and/or other political subdivisions that is specified in LGC 304.001.

6. **REP Affiliation.** Identify any relationship(s) that the Aggregator has with REPs. [25.111(b), (f)(1)(K), and (k)]

Acclaim is an independent broker and is not affiliated with any REPs. ACCLAIM has broker agreements with REPs. Payments to ACCLAIM are made directly from the REP and are a rate based on estimated or actual usage by the client.

7. **Registration Changes:** Have there been any changes since the Aggregator's last Annual Report in the information registered with the Commission? If yes, provide the date and project number under which each change was filed with the Commission and briefly describe the change(s). In addition, list any pending proceedings pertaining to the Aggregator's registration.

Acclaim has had no changes from last Annual Aggregator Report

There are no pending proceedings pertaining to the ACCLAIM's registration.

Part B: Technical and Customer Protection Information

Class I, II.A and II.D Aggregators must answer *only* Questions 1-10. Class II.B Aggregators must answer *only* Questions 11 – 15. Class II.C Aggregators must answer *only* Questions 16-20.

Class I, II.A and Class II.D Aggregators:

1. **Aggregation Information.** Complete the attached *Chart A—Aggregation Information*, concerning customer types, contracted REPs, and compensation sources for each aggregation performed by the Aggregator. [§§25.111(f)(1)(F) and (M)]
2. **Marketing Policies and Practices.**
 - a. Without supplying actual marketing materials, provide a summary explanation of the Aggregator's marketing policies and procedures utilized to obtain customer load. Include mention of how and when the Aggregator discloses its compensation sources in relation to executing contracts and, if compensation is rebated from the REP, whether and how that compensation is reflected on the customer's retail electric bill from the REP. [§25.111(b) and (i)(2) and 25.474]

ACCLAIM relies on established relationships and subsequent referrals to obtain customer load. The website and brochures support those efforts. ACCLAIM is rebated from the REP, which is disclosed to customers during discussions of our services. ACCLAIMS's compensation is not reflected on the REP's bills.

- b. List any and all Internet addresses used by the Aggregator or its third party contractor or marketing agent to market or solicit or obtain aggregated load and/or to provide aggregation services. [§§25.111(b) and (i)(2) and 25.474]

The ACCLAIM website is located at www.acclaimenergy.com.

- c. If the Aggregator contracted with or relied on a third party and/or marketing agent to obtain aggregated customer load or to otherwise provide aggregation services, list each person or company's name, contact person, physical address, telephone number, and date of contract. [§§25.111(b) and (i)(2) and 25.474]

ACCLAIM has neither contracted with nor relied upon a third party and/or marketing agent to obtain aggregated customer load or to otherwise provide aggregation services.

3. **Licensure Status.** Has the Aggregator had any registration/license/permit suspended or revoked in any state or by a federal authority? If yes, provide the (a) action type, (b) docket/citation number, (c) court/agency, and (d) final disposition. [§25.111(j)(6)] .

ACCLAIM has not had any registration/license/permit suspended or revoked in any state or by a federal authority.

4. **Complaint History.** Provide a summary of complaints filed since the last report against the Aggregator or against any affiliates of the Aggregator that provide utility-related

services⁵ with any state or federal regulatory agency in states other than Texas, including (a) Aggregator or affiliate name, (b) regulatory agency, (c) total number of complaints, and (d) complaint types (e.g., customer service, unauthorized change of utility, unauthorized charge). [§§25.111(f)(1)(Q) and (i)(2)]

There have been no complaints filed against ACCLAIM with any state or federal regulatory agency in states other than Texas.

5. **Legal Disclosures.** Since the last report, has the Aggregator or its principals, officers or directors been (1) convicted or found liable for fraud, theft, larceny, deceit, or violations of any customer protection or deceptive trade laws in any state, (2) convicted for violation of any state or federal criminal laws, (3) found liable for violation of any state or federal civil laws, or (4) penalized by any attorney general, state or federal regulatory agency? If yes, provide the (a) violation type, (b) docket/citation number, (c) court/agency, and (d) final disposition including penalty assessed. [§§25.111(f)(1)(O) and (j)(7)]

Since the last report, neither ACCLAIM nor any of its principals, officers or directors have been (1) convicted or found liable for fraud, theft, larceny, deceit or violations of any customer protection or deceptive trade laws in any state, (2) convicted for violation of any state or federal criminal laws, (3) found liable for violation of any state or federal civil laws, or (4) penalized by any attorney general, state or federal regulatory agency.

6. **Registrations.** For Aggregators whose legal structure requires registration with the Texas Comptroller of Public Accounts or with the Texas Office of the Secretary of State (SOS): List and explain any instances where the Aggregator was “not in good standing” with the Comptroller’s office or any instances where the Aggregator failed to maintain “active status” with the SOS. Include explanation of any corrective action taken. [§25.111(f)(1)(G)-(H)]

ACCLAIM has had no instances where it was “not in good standing” with Comptroller’s office or any instances where it failed to maintain “active status”

7. **Landlord-Tenant Arrangements.** Have any aggregations during the reporting period involved agreements between the Aggregator and property owners/managers for energy services to their tenants? If yes, explain the relationship and state how the tenant’s independent choice of electricity provider is preserved by the arrangement. Include all supporting documentation.

There have been no aggregations during the reporting period involving agreements between ACCLAIM and property owners/managers for energy services to their tenants.

8. **Billing Agent.** Does the Aggregator function as a billing agent for any REP (that is, does the Aggregator process the REP's billings for energy services to its retail customers)? If yes, list the REPs for which the Aggregator serves as a billing agent.

ACCLAIM does not function as a billing agent for any REP.

9. **Locations Served.** List each zip code and census tract in which at least one customer is served by a REP via a contract that was negotiated by the Aggregator.

Zip Code	Census Tract
77002	1000
77014	5504
77014	2434
77015	2330
77038	5338
77040	5323
77040	5341
77040	5342
77041	5401
77044	2323
77044	5623
77047	2404
77047	3266
77047	6746
77047	6766
77049	3856
77064	4361
77064	4546
77064	4857
77064	6314
77064	9421
77064	5323

Zip Code	Census Tract
77064	5341
77065	5508
77066	5509
77067	5506
77072	3961
77073	2404
77074	4229
77082	4542
77083	4539
77084	5412
77084	4362
77084	8901
77086	5323
77088	5330
77089	3502
77090	5533
77090	1509
77090	1610
77090	4060
77094	4545
77095	5406
77099	4537

Zip Code	Census Tract
77338	1602
77338	5814
77346	2464
77346	3009
77373	2413
77375	5548
77377	5531
77379	5548
77386	5868
77389	5552
77396	2495
77396	3513
77396	3524
77406	6374
77429	5544
77433	5410
77433	1912
77433	2004
77433	2377
77433	2407
77433	2409

Zip Code	Census Tract
77433	2436
77447	5558
77449	2720
77449	5420
77450	6730
77450	7205
77450	7286
77479	6738
77494	6731
77494	2313
77494	8315
77494	2313
77498	7132
77498	8315
77530	2523
77578	7837
77581	6607
77584	6606
77584	5254
77584	7132
77584	5254

10. **Estimated Savings.** Provide an estimate of the total annual savings achieved by the Aggregator for retail electric customers in relation to (1) the Price to Beat and (2) the amounts paid in 2001. Explain the assumptions and methods used in the calculation.⁶

ACCLAIM did not aggregate any clients from July 2024 – June 2025.

⁵ P.U.C. SUBST. R. 25.111(f)(Q)(i) characterizes “utility-related services” as those services “such as telecommunications, electric, gas, water, or cable service.”

⁶ Due to the complex structure of many electric rates, a comparison of savings achieved by one rate over another usually involves computing a customer’s bill under each rate structure, assuming a single load/usage pattern. Therefore, the instructions for this reporting requirement are as follows: At issue are the total charges (including, for example, transmission and distribution charges, non-bypassable charges, and aggregator fees) for which the electric customer will be held responsible. For each of the aggregation contracts executed by the Aggregators in the reporting year, select the most relevant 12-month historical usage data available (the one used in preparation of the aggregation contract is likely suitable). Calculate the total annual dollar amounts that would be due under (a) the terms of the aggregation contract, (b) the PTB, and (c) 2001 rates. Across all of the aggregation contracts executed in the reporting year, sum the totals calculated for each under (a), (b), and (c) above. Using these totals, calculate (1) the percent savings in relation to PTB as $[(b)-(a)] \div (b) \times 100$, and (2) the percent savings in

[NOTE: Class II.D Aggregators do not need to report the Question B-10 information for the citizen aggregation programs they administer; rather, in the course of such administration, they may assist the associated Class II.C Aggregator(s) in reporting the information.]

Class II.B (Political Subdivision Corporation) Aggregators: NOT APPLICABLE TO ACCLAIM

11. **Membership List.** List the municipalities and/or other political subdivisions currently represented by the political subdivision corporation.
12. **List of REPs.** List each REP with which the political subdivision corporation has contracted to provide energy services for the public facilities of two or more of its members.
13. **Locations Served:** List the zip codes and census tracts included in the boundaries of the member political subdivisions that are served with electricity by function of the Aggregator.
14. **Estimated Savings.** Provide an estimate of the total annual savings achieved by the Aggregator for its member political subdivisions in relation to (1) the Price to Beat and (2) the amounts paid in 2001. Explain the assumptions and methods used in the calculation.⁷
15. **Taking Title.** Does the Class II.B Aggregator take title to electricity? If yes, list the business names under which the Aggregator resold electricity,

Class II.C Aggregators (Political Subdivisions Conducting Citizen Aggregation): NOT APPLICABLE TO ACCLAIM

16. **Participation Level.** How many residents were participating in the Aggregator's citizen aggregation program as of the end of the reporting period (last June 30)?
17. **Subcontracting the Administration.** Has the Aggregator contracted with a third party or another aggregator for the administration of its aggregation of electricity and energy services purchased for its requesting citizens, pursuant to Local Government Code § 304.002(b)? If yes, provide the third party administrator's name, address, telephone number and, if also an aggregator, its Commission registration number. [§§25.111(d)(4)(B)(C) and (e)(8); LGC §304.002]
18. **Verification of Customer Request.** Has the Aggregator obtained and maintained on file verifiable documentation that the citizens who participated in the aggregation expressly, knowingly, and voluntarily elected to participate in the Aggregator's citizen aggregation program? If yes, provide a copy of the consent form used for signature, script used for audio verification, or any other verification documentation. [§§25.111(d)(4)(D) & (e)(8)].

relation to 2001 rates as $[(c)-(a)] \times 100 \div (c)$. If a different methodology for estimating savings is necessitated by the Aggregator's data or business systems, the Aggregator's explanation should include the ways in which its calculations conform or deviate from this model and/or any assumptions necessary to calculate its estimated savings to retail electric customers.

⁷ *Id.*

19. **Locations Served:** List each zip code and census tract in which at least one resident participates in the Aggregator's citizen aggregation program.
20. **Estimated Savings.** Provide an estimate of the total annual savings achieved by the Aggregator for residential customers that participate in the Aggregator's citizen aggregation program in relation to (1) the Price to Beat and (2) the amounts paid in 2001. Explain the assumptions and methods used in the calculation.⁸

Part C: Financial Information

Part C is applicable only to Class 1, Class II.A and Class II.D Aggregators. Aggregators that are not registered under one or more of these Classes do not need to complete *Part C*, and should proceed to the Affidavit.

Questions in *Part C* refer to the most recent July-to-June reporting period, as well as to any subsequent time for which information relating to these questions is reasonably known and available to the Aggregator. The Commission anticipates that the supporting documentation for the Aggregator's responses to Questions Nos. 4.a.I and 5.b are proprietary in nature.

Questions Applicable to All Class I, II.A and II.D Aggregators:

1. **Financial Integrity.** Has the Aggregator sought bankruptcy protection, become insolvent, or otherwise has been unable to meet its financial obligations on a reasonable and timely basis? If yes, explain, including any corrective action. [§25.111(j)(5).]

ACCLAIM has not sought bankruptcy protection, become insolvent, nor otherwise been unable to meet its financial obligations on a reasonable and timely basis.

2. **Customer Prepayments.** Has the Aggregator taken any deposits or other advance payments from electricity customers? If yes, provide the following:
 - a. A descriptive list of the kinds of services for which the prepayments were taken by the Aggregator; and
 - b. The project number of the proceeding in which the Aggregator obtained Commission approval to take prepayments (that is, the initial registration or any subsequent amendment; if none, explain).

ACCLAIM has not taken any deposits or other advance payments from electricity customers.

3. **Ongoing Status.** To the best of its knowledge, is the Aggregator aware of anything else, or does it anticipate any potential events before the next report, including anything related to prepayments if applicable, which would be pertinent to its future financial integrity as an Aggregator operating in the State of Texas? If yes, explain.

To the best of its knowledge ACCLAIM is not aware of anything else, nor does it anticipate any potential events before the next report, including anything related to prepayments if applicable, which would be pertinent to its future financial integrity as an Aggregator operating in the State of Texas

⁸ *Id.* Follow the instructions for Questions B-10 and B-14 to the extent feasible, explaining any differences in methodology. If all residential customers in the citizen aggregation had a single rate before the citizen aggregation, and experienced the same change in rate due to the aggregation, then the percent change from the PTB and from 2001 could be calculated from the rates themselves without using annual historical usage patterns.

Questions Applicable Only to Aggregators Who Take Prepayments: N/A

An Aggregator taking customer prepayments in Texas must respond to either Question 4, if it is registered pursuant the Standard Registration, or Question 5, if it is registered pursuant to the Alternative Limited Registration. The term “customer prepayments” is used here to include both the “customer deposits” and “other advance payments” specified in § 25.111.

4. **Standard Registrants.** Is the Aggregator taking customer prepayments pursuant to §25.111(g)(1), Standard Financial Qualifications? If yes, answer the following questions:

- a. **Financial Qualifications.** Depending on the financial method that the Aggregator uses to meet its Standard Financial Qualifications, respond to either alternative, I or II, below: [§25.111(g)(1)(A)-(D)]

- I. Financial Evidence.** Provide a detailed description of the financial evidence used. [§25.111(g)(1)(A)]

In addition, provide the highest amount of customer prepayments received in any month, as well as the December amount if different. Also, provide independent, third party verification of the amount of cash resources available during those months.

If during any month, the Aggregator *either* failed to maintain an excess of cash resources over customer prepayments, *or* the Aggregator ever reduced the level of financial resource support for its prepayments, provide these customer prepayments and cash resources for every month.

- II. Investment Grade Credit.** Provide independent, third-party verification of that credit rating. [§25.111(g)(1)(D).]

If the amount of financial resources subject to the investment grade rating is limited, the Aggregator must provide the highest amount of customer prepayments received in any months, as well as the December amount if different. If during any month, the Aggregator failed to maintain a financial resource limitation exceeding customer prepayments, provide the data for every month.

- b. **Financial Records.** Does the Aggregator maintain detailed financial records of its customer prepayments on an ongoing basis? (These customer records may be inspected by the Commission on request.) If not, explain this deficiency. [§25.111(i)(7)(A).]
- c. **Ninety-Day Affidavit.** Has the Aggregator filed the sworn affidavit, demonstrating compliance with its financial requirements, which is required within 90 days of receiving the first payment for aggregation services? If yes, provide a copy of the affidavit that identifies the date it was filed. If no, explain. [§25.111(i)(7)(B).]

- d. **External Notice.** Has the Aggregator relied on an external party, either directly or indirectly, for the financial resources needed to meet its standard financial qualification? If yes, provide evidence that a copy of the Aggregator Rule has been provided to such party, pursuant to §25.111(g)(1)(E). If no notification had been provided, explain.
 - e. **Changing Evidence.** Since the last report, has the Aggregator changed the kind of evidence used to meet its financial qualification? If yes, provide the project number(s) for the amendment proceeding(s) that made this change in the Aggregator's registration. If the financial evidence has changed without an amendment process, explain.
5. **Limited Registrants.** Is the Aggregator taking prepayments under the authority of §25.111(g)(2), the Alternative Financial Qualifications for Limited Registration (limiting business only to customers who contract for 250 kilowatts or more of peak demand electricity)? If yes, answer the following questions:
- a. **Notarized Affidavit.** Has the Aggregator obtained and maintained on file notarized affidavits from each customer stating that the Aggregator does not need to establish the cash and other financial resources otherwise needed to protect customer prepayments? If no, explain. (These affidavits may be inspected by the Commission on request.) [§25.111(g)(2)(A).]
 - b. **Customer Registry.** Provide a list of the Aggregator's customers, including their full names, addresses and telephone numbers. (These customers may be contacted by the Commission.)

AFFIDAVIT

STATE OF TEXAS §
COUNTY OF TRAVIS §

1. My name is John D. Elder, III. I am President / CEO of the reporting Aggregator, Acclaim Energy, Ltd.

2 I swear and affirm that (check one):

☒ I am an owner, partner, or officer of the registering party, which is registering as a Class I, Class II.A, and/or a Class II.D aggregator.

☐ I am an owner, partner, or officer of the registering party, which is registering as a Class II.B or Class II.C aggregator.

3. I swear and affirm that I have personal knowledge of the facts stated in this Aggregator Annual Report, that I am competent to testify to them, and that I have the authority to make this Report on behalf of the reporting Aggregator. I further swear or affirm that all of the statements and/or representations made in this Report are true, complete, and correct. I swear or affirm that the reporting Aggregator is not in material violation of any of the requirements of its registration. I swear or affirm that, if any material violation of the requirements of its registration occurred subsequent to the reporting period applicable to this Report, the reporting Aggregator has notified the Commission of same. I swear or affirm that the reporting Aggregator understands and will comply with all requirements of applicable law and rules.

4. I swear and affirm that the Aggregator is not in violation of any customer protection, disclosure requirements, marketing guidelines, and anti-discrimination laws or Commission rules.

5. I swear and affirm that any assertions of confidentiality regarding this response have been made with a good faith belief that an exception to public disclosure under Chapter 552 of the Texas Government Code applies to the information provided.

Signature of Affiant/Responsible Party

Typed or Printed Name

Name of Reporting Aggregator

SWORN TO AND SUBSCRIBED TO BEFORE ME on the 4 day of September, 2025

Notary Public in and for the State of Texas

My Commission Expires: February 14, 2026



