



## Filing Receipt

**Received - 2023-03-14 10:26:08 AM**  
**Control Number - 53385**  
**ItemNumber - 1049**

March 14, 2023

VIA EMAIL [CentralRecords@puc.texas.gov](mailto:CentralRecords@puc.texas.gov)  
Filing Clerk, Central Records Division  
Public Utility Commission of Texas  
1701 N. Congress Avenue, 8-100  
PO Box 13326  
Austin, TX 78711-3326



Dear Filing Clerk:

**RE: Annual Update of Emergency Operations Plan for SmartestEnergy US LLC,  
Project/Control No. 53385**

SmartestEnergy US LLC ("SEUS") is herewith filing its annual update to its Emergency Operations Plan ("EOP"). SEUS did not make any changes to its EOP that materially affects how it would respond to an emergency. SEUS did make changes to the list of emergency contacts contained in the Executive Summary of the EOP. Therefore, SEUS is filing here:

- An updated executive summary of its EOP
- Two affidavits as required by §25.53 C.3.B

If you have any questions related to the Application, please contact me at (315) 545-5187 or [Regulatory-Affairs-US@smartestenergy.com](mailto:Regulatory-Affairs-US@smartestenergy.com)

Very Truly Yours,

*Kiersten O'Connor*  
Kiersten O'Connor

# **SMARTESTENERGY US LLC**

## **Emergency Operations Plan**

### **Table of Contents**

- I. Executive Summary
  - A. Description of contents and policies
  - B. A list of emergency contacts
  - C. Items required by Texas regulations
    - 1. Reference to specific sections and page numbers of the EOP that correspond with the requirements of Texas regulations §25.53
    - 2. The record of distribution required under subparagraph (c)(4)(A) of Texas regulations §25.53
    - 3. The affidavit required under subparagraph (c)(4)(C) of Texas regulations §25.53
- II. Assignment of Responsibility
  - A. Applicability
  - B. Responsibility/Approval
  - C. Revision control summary, Approval Documentation
- III. Implementation/Communication Plan
  - A. Reporting Fire and Other Emergency Situations
  - B. Emergency Contact Information
  - C. Evacuation of Office
  - D. Re-entry
  - E. Sheltering in Place
  - F. Severe Weather
  - G. Procedures for communicating during an emergency
  - H. Procedures for handling customers and complaints during an emergency.
  - I. Procedures for handling Staffing during an emergency.
  - J. A plan to maintain pre-identified supplies for emergency response.
- IV. Training/Drills

- A. Employee Training
- B. Fire or Evacuation Drills
- C. Other Drills
- D. Training Records

V. Plan Evaluation

VI. Annexes

- A. Revision Control Summary
- B. Approval Documentation
- C. A pandemic and epidemic annex;
- D. A hurricane annex that includes evacuation and re-entry procedures if facilities are located within a hurricane evacuation zone as defined by TDEM;
- E. A cyber security annex;
- F. A physical security incident annex

**Emergency Operations Plan**  
for  
**SmartestEnergy US LLC**  
**Last Revised 3/31/2022**

**I. Executive Summary**

SmartestEnergy US LLC (“Company” or “SEUS”) is a retail electricity supplier and energy trading firm. SEUS is asset-lite, meaning it owns no transmission lines, distribution lines or power generating equipment. SEUS’ assets are its employees and its’ Information Technology (“IT”) equipment. The objective of this Emergency Operations Plan (“Plan”) is to prepare employees for dealing with emergency situations, to keep employees safe during such situations and to comply with regulatory requirements regarding emergencies. This Plan is designed to minimize injury, loss of human life, and company resources by training employees, and assigning responsibilities. This Plan applies to all emergencies that may reasonably be expected to occur.

**A. Description of contents and policies**

The contents of this plan and the associated policies are laid out in the table of Contents

**B. A list of emergency contacts**

Andy Cormie	CEO	Andy-cormie@smartestenergy.com	(214) 517-4935
Kenichiro Hashimoto	COO	Kenichiro-hashimoto@smartestenergy.com	(315) 960 3131
Gavin Baker	VP Commercial	Gavin-baker@smartestenergy.com	(214) 597-5540
Dave French	VP Market Ops	Dave-french@smartestenergy.com	(214) 609-5845
Megan Quill	VP Finance	Megan-quill@smartestenergy.com	(214) 436-2131
Thomas Luppino	VP IT & Change	Thomas-Luppino@smartestenergy.com	908-447-0737

Matt Holleran	VP Sales	Matthew-holleran@smartestenergy.com	(518) 265-4350
Kayla Austin	VP Retail Operations	Kayla-austin@smartestenergy.com	(585) 490-9364
Casey Cone	Head of HR and People	Casey-cone@smartestenergy.com	315-412-1024

### **C. Items required by Texas regulations**

- i. Reference to specific sections and page numbers of the entity's EOP that correspond with the requirements of Texas regulations §25.53 regarding Emergency Operations Plans

<b>Item</b>	<b>Regulation §25.53</b>	<b>Section of Plan</b>
Description of Contents and policies	C.1.A	Exec Summary
Reference to specific sections corresponding to rule	C.1.A	Exec Summary
Record of distribution	C.1.A, C.4.A	Exec Summary
Affidavit	C.1.A, C.4.A	Exec Summary
Emergency Contacts	C.4.B	Exec Summary
Approval and Implementation Section	C.4.D.1	Section II
Communication Plan	C.4.D.2	Section III
Maintain Supplies	C.4.D.3	Section III.J
Staffing During Emergency Response	C.4.D.4	Section III.i
Identification of Weather Related Hazards	C.4.D.5	Section III.f
Handling complaints during emergency	C.4.D.2	Section III.h
Pandemic Annex	E	Annex C
Hurricane Annex	E	Annex D
Cyber Security Annex	E	Annex E
Physical Security Annex	E	Annex F

- ii. The record of distribution required under subparagraph (c)(4)(A) of Texas regulations §25.53 A). Includes (i) titles and names of persons receiving access to and training on the EOP; and (ii) dates of access to or training on the EOP, as appropriate.

Each employee of SEUS has access to the EOP. Executive management has signed off on training for employees in their respective areas as follows:

<b>Name</b>	<b>Title</b>
Andy Cormie	CEO
Kenichiro Hashimoto	COO
Gavin Baker	VP Commercial
Dave French	VP Market Ops
Megan Quill	VP Finance
Thomas Luppino	VP IT & Change
Matt Holleran	VP Sales
Kayla Austin	VP Retail Operations
Casey Cone	Head of HR and People

State of New York:  
County of Onondaga:

Kenichiro Hashimoto, being duly sworn/affirmed deposes and says:

That he is the COO of SmartestEnergy US LLC;

That he is authorized to make this affidavit for SmartestEnergy US LLC;

That relevant operating SmartestEnergy US LLC personnel are familiar with and have received training on the applicable contents and execution of the Emergency Operating Plan ("EOP"), and such personnel are instructed to follow the applicable portions of the EOP except to the extent deviations are appropriate as a result of specific circumstances during the course of an emergency;

That the EOP has been reviewed and approved by the appropriate executives;

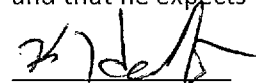
That drills have been conducted to the extent required by subsection (f) of subparagraph §25.53;

That, to the best of Affiant's knowledge, the EOP is not required to be distributed to local jurisdictions;

That SmartestEnergy US LLC maintains a business continuity plan that addresses returning to normal operations after disruptions caused by an incident; and

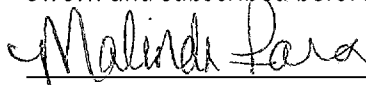
That SmartestEnergy US LLC will not designate emergency management personnel to interact with local, state, and federal emergency management officials during emergency events, so this training statement is not applicable.

That the facts set forth above are true and correct to the best of his knowledge, information and belief and that he expects to be able to prove the same at any hearing hereof.

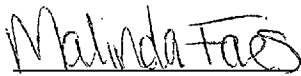


Signature of Affiant

Sworn and subscribed before me this 13 day of March 2023



Signature of official administering oath



Print name and title

My Commission expires: 5/11/2023

MALINDA L FAES  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01FA6324808  
Qualified in Onondaga County  
My Commission Expires May 11, 2023



State of New York:  
County of Onondaga:

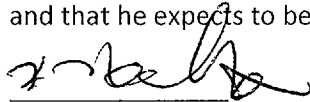
Kenichiro Hashimoto, being duly sworn/affirmed deposes and says:

That he is the COO of SmartestEnergy US LLC;

That he is authorized to make this affidavit for SmartestEnergy US LLC;

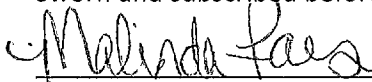
SmartestEnergy US LLC filed its original Emergency Operating Plan ("EOP") in April 2022.  
SmartestEnergy US LLC has performed an annual review of its Emergency Operating Plan ("EOP") and has made changes to the emergency contacts and management team listed in the executive summary. SmartestEnergy US LLC did not make any changes to its EOP that materially affects how it would respond to an emergency.

That the facts set forth above are true and correct to the best of his knowledge, information and belief and that he expects to be able to prove the same at any hearing hereof.



Signature of Affiant

Sworn and subscribed before me this 13 day of March 2023



Signature of official administering oath



Print name and title

My Commission expires: 5/11/2023

MALINDA L FAES  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01FA6324808  
Qualified in Onondaga County  
My Commission Expires May 11, 2023