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PROJECT NO. 55980

CY 2023 RETAIL ELECTRIC	§	PUBLIC UTILITY COMMISSION
PROVIDER (REP) ANNUAL REPORTS	§	
AND CY 2024 REP SEMI-ANNUAL	§	OF TEXAS
REPORTS PURSUANT TO 16 TAC	§	
§25.107(i)	§	

AXPO U.S. LLC'S 2024 SEMI-ANNUAL REPORT

Axpo U.S. LLC ("Axpo") submits its financial information for the 2024 REP Semi-annual Report herein. This submission includes company financial information that is highly sensitive and is filed confidentially and under seal under 16 Tex. Admin. Code ("TAC") § 22.71. Axpo additionally submits the affidavit of Kamal Khoury, Managing Director, attesting to the facts represented herein. Axpo provides the following information as required under the rule.

- 1. Documentation to demonstrate ongoing compliance with the financial requirements of subsection (f) of this section. 16 TAC § 25.107(i)(3)(H).
 - a. Access to Capital, Irrevocable Guaranty Agreement (16 TAC § 25.107(f)(1)(A)(ii)(1)).

Axpo complies with financial requirements for an Option 1 REP through its Guarantor, Axpo Solutions as provided for in 16 TAC § 25.107(f)(1)(A)(ii)(I). Axpo references the guaranty agreement filed confidentially in Project No. 54827, Item No. 20.

b. Guarantor Requirements (16 TAC § 25.107(f)(1)(A)(ii)(II)).

Axpo relies on its Guarantor Axpo Solutions tangible net worth, documentation submitted under seal.

c. The amount of customer deposits and the balance of an account in which customer deposits are held (16 TAC § 25.107(f)(2)(B)).

Axpo does not collect any deposits or prepayments from customers, and therefore has not collected any customer deposits.

2. Documentation to demonstrate ongoing compliance with the technical requirements of the annual report. 16 TAC § 25.107(i)(3)(B)-(G).

a. Changes in ownership or management (16 TAC § 25.107(i)(3)(B)-(C)).

Axpo does not have any changes in ownership, control, corporate restructuring, or transfer of a REP certificate nor does it have any changes in management, experience, and persons relied on for certification in subsection (e) of this section including the person or third-party provider acting as the REP's risk manager.

b. Listing of principals, executive officers, and third-party providers (16 TAC § 25.107(i)(3)(D)-(F)).

Axpo has attached all relevant information on principals, executive officers, and third-party providers in excel format in compliance with 16 TAC § 25.107(i)(3)(D)-(F).

<u>c.</u> Copies of ERCOT related information (16 TAC \S 25.107(i)(3)(G)).

Axpo has attached all ERCOT related information requested for this Report in compliance with 16 TAC § 25.107(i)(3)(G)).

d. Changes in Contact Information (16 TAC § 25.107(i)(4)(A)).

Axpo has no changes to its contact information provided in compliance with 16 TAC § 25.107(d)(1)(D).

e. List of Aggregators (16 TAC § 25.107(i)(4)(B)).

Axpo did not conduct business with aggregators in 2024 and has no information to report.

Respectfully Submitted,

/s/ Dakota Parish

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ATTORNEY FOR AXPO U.S. LLC

AFFIDAVIT

STATE OF NEW YORK		§
COUNTY OF	New York	§ §

Before me, the undersigned notary public, on this day personally appeared Kamal Khoury, to me known to be the person whose name is subscribed to the foregoing instrument, who being duly sworn according to law, deposes and says:

- "I. My name is Kamal Khoury. I am over the age of eighteen and am a resident of the State of New York. I am competent to testify to all the facts stated in this Affidavit, and I have the authority to make this Affidavit on behalf of Axpo U.S. LLC ("Axpo").
- I swear or affirm that in my capacity as Managing Director of Axpo, I have personal knowledge of the facts concerning compliance with the financial requirements of the Commission's REP Certification rule as stated in Axpo's 2024 Semi-Annual Report filing ("Report") in accordance with 16 Tex. Admin. Code §§ 25.107 and 25.491 being filed herein, and this Affidavit is given in support of that Report. I further swear or affirm that all of the statements and/or representations made in the Report are true, complete, and correct to the best of my knowledge.
- 3. I further swear or affirm that Axpo is not in material violation of any of the requirements of its certificate and that Axpo does not currently hold any customer deposits or advance payments.
- 4. I swear or 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."

Further affiant sayeth not.

Axpo U.S. LLC

Managing Director

SWORN TO AND SUBSCRIBED TO BEFORE ME on the 9th day of August 2024.

Notary Public in and for the State of

My Commission Expires: 3/27/25

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