

AMPO Inc.

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PUCO

September 12, 2007

Ms. Renee Jenkins
Docketing Division
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43215-3793

RE: City of Cuyahoga Falls Case No. 03-1306-GA-GAG

Dear Ms. Jenkins:

Enclosed please find for filing in the above referenced docket the final opt-out notice and materials for residential and small commercial natural gas customers residing in the City of Cuyahoga Falls. The service territory is Dominion East Ohio. The competitive retail natural gas supplier is Direct Energy. The mailing is scheduled for September 24, 2007 with a response opt-out period end date of October 31, 2007. Please find enclosed:

Residential Opt-Out Notice, Terms and Conditions, Frequently Asked Questions

Opt-In Letter, Terms and Conditions, Frequently Asked Questions, Welcome Letter

Commercial Opt-Out Notice, Terms and Conditions, Frequently Asked Questions

Commercial Opt-In Notice, Commercial Opt-Out Notice, Terms and Conditions

If you have any questions, please contact Terry Leach, Program Manager at 614-337-6222 or tleach@amp-ohio.org.

Sincerely,

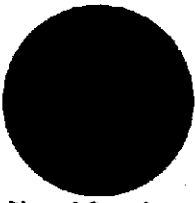


Terry Leach
General Manager
AMPO, Inc.

Cc: Edith Benford

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Technician _____ Date Processed 9-12-07





RESIDENTIAL OPT-IN MATERIALS



City of Cuyahoga Falls

[Date]

[Title] [First] [Middle] [Last] [Last 1]

[Mailing address]

[Mailing City], [Mailing State] [Mailing Zip]

IMPORTANT INFORMATION

From the City of Cuyahoga Falls and Direct Energy Regarding
your Natural Gas Commodity Service

Dear [First] [Middle] [Last] [Last 1]:

**The City of Cuyahoga Falls set a Fixed Rate of \$9.854 per Mcf offering Price Protection
through the November 2008 billing cycle, excluding taxes and utility charges!
Plus a Senior Citizen rate of \$9.754 per Mcf for eligible participants!**

Please call now to enroll at 1-866-803-4618.

We are pleased to announce that the City of Cuyahoga Falls has endorsed Direct Energy as its preferred natural gas supplier. Under this arrangement, Direct Energy will provide an exclusive fixed rate offer of \$9.854 per Mcf to serve the City of Cuyahoga Falls' consumers.

Through the City of Cuyahoga Falls Natural Gas Endorsement Program, eligible consumers may sign up to receive the initial fixed rate of \$9.854 per Mcf to protect against potential natural gas commodity rate increases through the November 2008 billing cycle. The eligibility requirements for this exclusive offer are outlined below.¹ So please enroll by *October 31, 2007* to enjoy this program as early as your November natural gas usage, reflected on your December 2007 bill.

The City of Cuyahoga Falls' Endorsement Program is a Smart Choice:

- **It's Easy to Participate.** To enroll in the City of Cuyahoga Falls Endorsement Program, eligible customers should contact Direct Energy at 1-866-803-4618 indicating that they wish to participate in this exclusive offer. Customer Service hours are Monday- Friday from 8:00 am - 8:00 pm and Saturday from 8:00 am - 5:00 pm EST.
- **You'll Receive a Fixed Supply Rate.²** The City of Cuyahoga Falls has ensured that you will receive a natural gas commodity rate of \$9.854 per Mcf for your gas supply through your November 2008 billing cycle. After the November 2008 billing cycle, the price may become variable unless another fixed price is established by the City of Cuyahoga Falls. There is no additional cost to enroll in this exclusive program. The City of Cuyahoga Falls Program is effective through the May 2009 billing cycle.

¹ Service is subject to enrollment processing timelines as determined by your local utility and Direct Energy Terms and Conditions of Agreement. To be eligible to participate in the Natural Gas Endorsement Program, you must have a residence or business located in the City of Cuyahoga Falls, be eligible to receive natural gas from Dominion East Ohio (DEO), meet Ohio non-mercantile requirements, be current with your natural gas payments, and not be enrolled in the PIPP program. If you believe you received this letter in error as you are not located in the City of Cuyahoga Falls or served by DEO, please disregard this letter.

² Direct Energy's rate excludes the utility charges and taxes.

- **Exclusive offer for Senior Citizens.** Mayor Don Robart has negotiated an additional \$0.10 per Mcf off the already low fixed commodity rate for Senior Citizens 65 and older who are the primary owners of the residence. This special rate of \$9.754 per Mcf is available to eligible seniors by calling Direct Energy at 1-866-803-4618.
- **You'll Receive One Bill.** Your local utility will continue to send you your monthly gas bill and you will continue to remit one payment to the local utility for their charges and Direct Energy's charges. Also your local utility will still provide service for any emergency or maintenance issues.

Direct Energy will begin supplying your natural gas as early as your December 2007 billing cycle or your next applicable meter reading date depending upon when you start the program. Direct Energy will work with the utility on your enrollment request and the utility will mail you an enrollment confirmation letter. There is no need to respond to the utility's enrollment confirmation letter if you wish to participate in this Natural Gas Endorsement Program.

Also, if you have additional questions please see the enclosed *Frequently Asked Questions* for more details. We hope you will take advantage of this exclusive offer!

Respectfully,



Don Robart
City of Cuyahoga Falls
Mayor



Mike Beck
Direct Energy
Vice President of Marketing & Sales

**Direct Energy's Natural Gas Price Protection Program
Residential and Commercial Terms and Conditions of Agreement
And Appointment Of Limited Agent
To: Direct Energy Services, LLC ("Direct Energy")**

Term of Agreement. Subject to Direct Energy's acceptance of this Agreement and acceptance by my Natural Gas Utility ("NGU"), I hereby appoint Direct Energy as my exclusive limited agent and supplier for natural gas service. My service under this Agreement may begin with the billing cycle as determined by my NGU tariff and will continue through the May 2009 billing cycle ("Initial Term"). If my service is not accepted by the NGU for my December 2007 billing cycle, then my service will begin on the next applicable meter reading date once accepted. The Initial Term will be reduced for each month that I am not receiving service after the December 2007 billing cycle period. I will receive the current City of Cuyahoga Falls' Natural Gas Endorsement Program rate through my May 2009 billing cycle. My NGU will continue to deliver my natural gas, and provide billing and other services.

Pricing, Billing and Payment Terms. Under this Agreement, I will continue to pay distribution and transportation costs to my NGU. Based on the City of Cuyahoga Falls choice, each month Direct Energy will charge me for all natural gas billed by my NGU either (a) a monthly Variable Price equal to the sum of the following (i) \$1.44 per MCF plus (ii) the NYMEX Henry Hub Monthly Natural Gas Agreement price for the applicable delivery month upon termination of trading converted from mmbtu to Mcf or (b) a Fixed Price for a specific number of months. The decision to set a Fixed Price and the duration of such fixed price shall be determined by the City of Cuyahoga Falls. Any Fixed Price shall be based on the expected gas consumption for each delivery month, times the price of the applicable NYMEX Henry Hub monthly futures Agreements at the time of the decision to fix the price converted from mmbtu to Mcf, plus \$1.44 per MCF. The delivery month(s) and mmbtu to Mcf conversion rates will be based on applicable NGU rules. My Direct Energy Fixed Price for the period starting from the beginning of the Initial Term, as provided above, through the November, 2008 billing cycle will be a \$9.854 per MCF, exclusive of any utility charges and taxes. After the November 2008 billing cycle, through the May 2009 billing cycle, I will receive a Variable Price unless the City of Cuyahoga Falls sets a Fixed Price under the City of Cuyahoga Falls Natural Gas Aggregation Program.

The NYMEX is the commodity exchange on which Natural Gas Futures Agreements are traded and is the foundation from which natural gas transactions are priced within the United States and its market rates are available from various publications including the Wall Street Journal and various internet sites. I may obtain my monthly price by calling a Direct Energy customer service representative at 1-888-566-9988. Direct Energy's prices are exclusive of all applicable state and local taxes and NGU charges. My NGU will send me a single monthly bill that will include my NGU's charges and Direct Energy's charges and I will continue to pay my bill in accordance with the NGU's billing and payment policies. In the event that I fail to pay my bill or fail to meet any agreed-upon payment arrangement, Direct Energy may terminate this Agreement after providing me with fourteen (14) days written notice or I may be returned to utility service by the NGU. Such termination will not relieve me of my payment obligations to Direct Energy for service to the date of such termination. I have the right to request without charge up to 24 months of payment history for services rendered by Direct Energy.

Senior Citizen Discount. Seniors may receive a price that is \$0.10 per Mcf lower than the price stated in Pricing, Billing and Payment Terms section of this Agreement. In order to receive the Senior Citizen Discount of \$0.10 per Mcf, I must call Direct Energy's Customer Service Contact Center at 1-888-566-9988, Monday through Friday 8:00 a.m. – 8:00 p.m. EST, and Saturday 8:00 a.m. – 5:00 p.m. EST (contact center hours subject to change without notice) to validate my status as a Senior Citizen and primary owner of the residence to receive retail natural gas service from Direct Energy. To confirm my status as a Senior Citizen for the purpose of this program, I must validate that I am at least 65 years old at the time of the call. Such discount will only be applied prospectively, and may take one or more billing cycles before it appears on my bill. Direct Energy is not liable for any lost savings due to my not requesting this discount in a timely fashion, or due to any delay between my request and it actually appearing on my bill.

Termination. My Agreement will terminate automatically without penalty if any of the following occurs: (a) The requested service location is not served by the incumbent natural gas company, (b) I move outside the incumbent natural gas company's service area, to an area not served by Direct Energy, or to an area outside the City of Cuyahoga Falls, or (c) Direct Energy or the City of Cuyahoga Falls returns my sales service to the NGU, provided Direct Energy is permitted to terminate under the terms and conditions of this Agreement. If I move within the City of Cuyahoga Falls and wish to continue taking service from Direct Energy under this Agreement I must contact Direct Energy with my new service location account information in a timely fashion to transfer my service. I understand that processing the move will be subject to utility transaction processing timelines. Further, I understand that I am responsible for any switching fees imposed by my NGU. I understand that I have the right to terminate this Agreement without penalty in the event: (a) I relocate, or (b) this Agreement allows Direct Energy or the City of Cuyahoga Falls such a right for reasons other than customer nonpayment.

Cancellation. My NGU will send me a written notice confirming my decision to enroll with Direct Energy. I understand that I may rescind my enrollment without penalty within seven (7) business days of the postmark on the NGU's confirmation letter by calling or writing to my NGU. I understand that I also have the right to cancel this Agreement after seven (7) business days without penalty or

early termination fee by contacting Direct Energy verbally at 1-888-566-9988 or in writing at the address provided in the Direct Energy Contact Information section below. Such cancellation will not relieve me of my payment obligations to Direct Energy for service to the date of cancellation. If I intend to cancel this Agreement after the 7-day rescission period I agree to contact Direct Energy at 1-888-566-9988 prior to initiating cancellation.

Switching. If I change my natural gas supplier, my NGU may apply a switching fee. If I return to my NGU after switching to a natural gas supplier, I may be charged a price other than the incumbent NGU's regulated commodity rate.

Assignment. This Agreement can be transferred or assigned by Direct Energy to another supplier upon 30 days written notice.

Privacy of Customer Information. My Social Security Number (if given) and NGU account number shall not be released without my affirmative written consent.

Renewal. Upon completion of the Initial Term, this Agreement will automatically renew on a month-to-month basis at the same terms unless Direct Energy sends me written notice in advance of the renewal date. Such written notice will be sent between 60 and 45 days "or at such time periods as the Public Utilities Commission of Ohio shall prescribe, apprising me of any proposed changes in the terms and conditions of this Agreement and my right to renew, terminate or renegotiate this Agreement.

Warranty. This Agreement as written makes up my entire Agreement with Direct Energy. Direct Energy makes no representations or warranties other than those expressly set forth in these Terms and Conditions, and Direct Energy expressly disclaims all other warranties, express or implied, including merchantability and fitness for a particular use.

Force Majeure. Direct Energy will make commercially reasonable efforts to provide natural gas service, but does not guarantee a continuous supply of natural gas. Certain causes and events out of the control of Direct Energy ("Force Majeure Events") may result in interruptions in service. Direct Energy will not be liable for any such interruptions caused by a Force Majeure Event. Direct Energy does not transmit or distribute natural gas. Therefore, I agree that Direct Energy is not and shall not be liable for damages caused by Force Majeure Events, including acts of God, acts of any governmental authority, accidents, strikes, labor disputes or problems, required maintenance work, inability to access the local distribution utility system, non-performance by the NGU including but not limited to a facility outage on its gas distribution lines, changes in laws, rules, or regulations of any governmental authority (including but not limited to the PUCO), or any cause beyond Direct Energy's control.

The remedy in any claim or suit by me against Direct Energy will be limited to direct actual damages. By entering into this Agreement, I waive any right to any other remedy. In no event will either Direct Energy or I be liable for consequential, incidental, or punitive damages. These limitations apply without regard to the cause of any liability or damages. There are no third-party beneficiaries to this Agreement.

Contact Information. If I have a question about or disagree with the natural gas commodity portion of my bill, I may call Direct Energy's Customer Service Contact Center at 1-888-566-9988, Monday through Friday 8:00 a.m. - 8:00 p.m. EST and Saturday 8:00 a.m. - 5:00 p.m. EST (contact center hours subject to change without notice). I may also write to Direct Energy at: P.O. Box 642156, Omaha, NE 68164. The address for the City of Cuyahoga Falls is 2310 Second Street, Cuyahoga Falls, OH 44221. The address for the City of Cuyahoga Falls is 2310 Second Street, Cuyahoga Falls, OH 44221

Dispute Resolution. I understand that Direct Energy will endeavor to resolve any disagreement or complaint I may have. If my complaint is not resolved after I have called Direct Energy, I may call the Public Utilities Commission of Ohio (PUCO) toll free at 1-800-686-7826 or 1-614-466-3292, or for TDD/TTY toll free at 1-800-686-1570 or 1-614-466-8180, from 8:00 a.m. to 5:30 p.m. weekdays, or visit the PUCO website at www.puco.ohio.gov or as otherwise specified by the commission. Also, the Ohio Consumers' Counsel (OCC) represents residential utility customers in matters before the PUCO. The OCC can be contacted toll free at 1-877-742-5622 from 8:00 a.m. to 5:00 p.m. weekdays, or visit the OCC website at www.pickocc.org.

Emergency. In the event of an emergency such as a gas leak, please call your NGU at 1-877-542-2630.

Direct Energy
City of Cuyahoga Falls' Natural Gas Endorsement Program
Frequently Asked Questions

What is a Natural Gas Endorsement Program?

The City of Cuyahoga Falls acted on behalf of its natural gas consumers to select a natural gas supplier who, through the power of volume buying, is able to secure long-term supplies of natural gas at competitive rates. The Public Utilities Commission of Ohio ("PUCO") has taken steps to ensure that Ohio's competitive natural gas environment is consumer-friendly.

The City of Cuyahoga Falls has selected Direct Energy as their preferred natural gas supplier to serve their residents and small businesses beginning as early as the December 2007 billing cycle. The City of Cuyahoga Falls' Natural Gas Endorsement Program is effective through the May 2009 billing cycle. In order to take advantage of this program, eligible customers will have to enroll with Direct Energy.

How do I enroll?

To enroll, please call 1-866-803-4618, and state that you are calling to enroll in the City of Cuyahoga Falls' Natural Gas Endorsement program. Please have your natural gas utility bill readily available when you call to enroll. You will need to provide your natural gas utility account number (located on your utility bill) to enroll. If the enrollment request is not received or accepted by the utility for your December 2007 billing cycle, then service may begin on the next applicable meter reading date, after enrollment is accepted.

What is my price?

The City of Cuyahoga Falls has ensured that you will receive a fixed natural gas commodity rate of \$9.854 per Mcf¹ through your November 2008 billing cycle. After the November 2008 billing cycle, the price may become variable unless another fixed price is established by the City of Cuyahoga Falls. There is no additional cost to enroll in this exclusive program.

Where do I Send Payment?

The local gas utility will continue to send you your bill and you will continue to remit one payment to the local gas utility. The local gas utility will bill Direct Energy's charges and place it on the bill as a line item. Your distribution service billing will remain the same.

Is Budget Billing available?

Yes. Please contact your local gas utility if you are interested in receiving budget billing. Consumers currently on budget billing with the local utility will continue on the budget billing plan even if they enroll in the City of Cuyahoga Falls' Natural Gas Endorsement Program.

Are there Cancellation Fees if I Cancel Early?

No. Direct Energy will not charge you any early cancellation fees! You may cancel your Direct Energy agreement at any time.

¹ Direct Energy's rate excludes the utility charges and taxes.

What are the Additional Benefits?

You will be serviced by Direct Energy, a trusted brand and part of the Centrica group of companies, one of the largest providers of deregulated retail energy services in North America. Across North America, Direct Energy has grown to include approximately 5 million customer relationships.

Who do I Contact if I have Additional Questions?

If you have any questions about this offer or to enroll, please contact Direct Energy at 1-866-803-4618, Monday – Friday from 8:00am to 8:00pm EST and Saturday from 8:30am to 5:00pm EST. To learn more about Direct Energy, you may also visit our web site at www.directenergy.com.

In the event of an emergency situation such as a gas leak, please contact your local gas utility as soon as possible. Your local gas utility will continue to respond to emergency service repairs and maintenance issues.

Direct Energy
P.O. Box 642156
Omaha, NE 68164

«Date»

«First» «MI» «Last»
«address»
«city» «state» «zip»

Account Number: « acct number»

Dear «First» «Last»:

Welcome to the City of Cuyahoga Falls' Natural Gas Endorsement Program. We are pleased that you have chosen Direct Energy as your natural gas supplier. As a Direct Energy customer, you will benefit from the peace of mind associated with doing business with a strong and stable business partner that is committed to providing you with competitive natural gas supply rate plans and superior customer service.

You now join thousands of other Ohio homeowners and businesses that are served by Direct Energy. In fact, with over 5 million customer relationships in the United States and Canada, Direct Energy is one of North America's largest competitive retail energy suppliers.

We have received all of the information needed to process your enrollment. Upon successful enrollment, you will receive Direct Energy service within 1-2 billing cycles. If for any reason your application cannot be processed, we will notify you in writing. Your Direct Energy account number is « acct number».

You will be receiving a confirmation letter from your local utility regarding your decision to change your service to Direct Energy. Once you receive this letter, please note that there is no further action necessary in order to initiate your service with Direct Energy.

We have enclosed a copy of your Direct Energy Terms and Conditions of Agreement that contains important information about your natural gas supply rate plan¹ and other terms and conditions. Please retain a copy of the Direct Energy Terms and Conditions of Agreement for your records as it provides valuable information and may serve as a reference in the future.

Please note that your utility will continue to send your monthly gas bill and you will continue to remit one payment to the utility for its charges and Direct Energy's charges. Also, your utility will still provide service for any emergency or maintenance issues.

If you have additional questions, please contact our customer support team at 1-888-566-9988 (Monday - Friday 8:00a.m. - 8:00p.m. EST and Saturday 8:00a.m - 5:00p.m. EST) or visit our website at www.directenergy.com.

Again, thank you for selecting Direct Energy. We look forward to providing you with superior service and value in support of your natural gas needs.

Respectfully,



Karen R. Shallcross
Marketing Program Manager

¹ The City of Cuyahoga Falls has ensured that you will receive a natural gas commodity rate of \$9.854 per Mcf for your gas supply through your November 2008 billing cycle. After the November 2008 billing cycle, the price may become variable unless another fixed price is established by City of Cuyahoga Falls. Direct Energy's rate excludes utility charges and taxes.