

**LIMITED AGENCY AGREEMENT for only ELECTRICITY**

**(For Non-Residential Customers)**

BUSINESS

(expires \_\_\_\_\_, \_\_\_\_\_)

(Month Day, Year; minimum 3-year term from anticipated electricity start date)

STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF HARRIS

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I, \_\_\_\_\_, being the duly authorized officer of \_\_\_\_\_ (the "Company"), being over the age of 21 years and being of sound mind, am able to and do hereby appoint **Momentum Bay Associates, LP** (the "Agent") as the Company's true and lawful agent for the purpose of evaluating the Company's electrical usage at its place(s) of business with an address of \_\_\_\_\_ and advising the Company on the same, including, but not limited to acting as the Company's agent in dealings with retail electric providers (the "Energy Company") and, if possible and appropriate, including the Company in a group of other non-residential electric consumers and negotiating for the purchase of electricity on such group's behalf, with the following additional powers:

- (a) to request statements and reports regarding the Company's electrical power usage from the Company's current Electric Company;
- (b) to inquire about the status of the Company's account and usage from the Energy Company; and,
- (c) to negotiate (but neither execute nor bind) on behalf of the Company any agreement or contract with the Energy Company for the Company's account and usage plan(s).

Except as provided above, this appointment does not include the power to execute in the Company's name any documents, instruments, agreements, releases and any other papers.

This appointment of the Agent to act as the Company's agent shall endure for the period from the date of signature shown below until \_\_\_\_\_, 20\_\_\_\_, whereupon it shall terminate in all respects.

IN WITNESS WHEREOF, I have executed this Limited Agency Agreement for ONLY Electricity on this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

Signature of Authorized Officer: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title of Authorized Officer: \_\_\_\_\_

STATE OF TEXAS

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COUNTY OF HARRIS

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This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2009, by \_\_\_\_\_.

(stamp)

Notary Public in and for the State of Texas

*Please sign, have notarized two copies of this document. Return one copy by mail to: Momentum Bay Associates LP, P.O. Box 980487, Houston, TX 77098-0487. Keep the other copy for your records.*