

From: *Chandler v. Discount Power Claims Administrator*
To: «First1» «Last1»
ClaimID: <<Claim8>>
Access Code: <<PinCode>>
Subject: Notice of Class Action Lawsuit and Proposed Settlement

NOTICE OF CLASS ACTION LAWSUIT AND PROPOSED SETTLEMENT

THE COURT HAS AUTHORIZED THIS NOTICE. THIS IS NOT A SOLICITATION FROM A LAWYER.
YOU MAY RECEIVE MONEY FROM A SETTLEMENT

- **If you were a customer of Discount Power, Inc. and paid a variable rate for electric supply services between June 1, 2013 and July 31, 2016, your rights may be affected by this class action settlement.**
- **Plaintiffs claim that the variable rates charged by Discount Power violate the terms of its contracts with its customers. The court has not decided who is right or wrong. Instead, the parties agreed to settle the case to avoid the risk and cost associated with further litigation.**
- **Eligible Class Members who submit a valid Claim Form will be eligible to receive a payment from the \$850,000 settlement fund.**
- **Go to www.DiscountPowerSettlement.com for more details.**

What is this? This is a Notice of a proposed settlement in a class action lawsuit. This Notice explains your legal rights.

What is this lawsuit about? This settlement would resolve the lawsuit captioned *Chandler and Conover v. Discount Power, Inc.*, Case No. HHD-CV-14-6055537-S, filed in the Superior Court of the State of Connecticut. The lawsuit alleges that Discount Power falsely claimed in its contracts with customers that its variable rate for electricity supply services would fluctuate based on changes in the “wholesale power market,” but in practice failed to decrease its variable rate when wholesale market rates went down. Discount Power denies all of Plaintiffs’ claims and says that it did nothing wrong. Discount Power specifically states that it followed all terms of its contract with customers, and that Plaintiffs’ claims are without factual or legal merit. The Court has not ruled on the merits of Plaintiffs’ claims or Discount Power’s defenses.

Why am I getting this Notice? You were identified as someone who was a variable electric rate customer of Discount Power with regard to a property located in Connecticut during the period covered by the proposed settlement (June 1, 2013 through July 31, 2016).

What does the settlement provide? Discount Power has agreed to pay a total of \$850,000 into a Settlement Fund in three installments, with the final installment payable no later than December 31, 2018. The Settlement Fund will pay cash awards to Class Members who have filed a valid claim, as well as (a) attorneys’ fees, costs, and expenses; (b) incentive payments to the lead plaintiffs; and (c) third party costs to provide notice and to administer the settlement. Upon being fully funded, individual Discount Power customers who have filed a Claim Form (“claimants”) will be eligible to receive a share of the Settlement Fund based upon the amount of variable rate electricity used by that claimant between June 1, 2013, and July 31, 2016 as a percentage of the total amount of variable rate electricity used by all claimants during that same period (excluding periods in which Discount Power’s procurement cost for electricity exceeded the variable price at which it sold that electricity). In the event that claims made exceed the value of the net Settlement Fund after deducting all Settlement Costs (including the costs of notice and administration of the settlement and attorneys’ fees and costs incurred by Class Counsel and incentive awards for the Lead Plaintiffs as may be approved by the Court), each claimant would receive a *pro rata* share of the net Settlement Fund based on his or her calculated loss. Claimants whose calculated loss totals less than \$3 will not receive any payment. The Lead Plaintiffs will

request an incentive payment not to exceed \$2,000 each for their work in representing the Class, and Class Counsel will ask the Court to approve an award up to 25% of the Settlement Fund for attorneys' fees, plus costs.

How do I get a payment? To ask for a payment you must complete and submit a Claim Form. You may visit www.DiscountPowerSettlement.com to fill out a Claim Form online or to download a Claim Form that you can print. You can also request that a Claim Form be mailed to you by calling 1-877-435-2043. The deadline to file your claim online is **March 10, 2017**. If filing a paper claim, you must mail your Claim Form postmarked no later than **March 10, 2017** to: *Chandler v. Discount Power* Claims Administrator, P.O. Box 43034, Providence RI 02940-3034.

Do I have to be included in the settlement? If you do not want to be part of the settlement and you want to keep the right to sue or continue to sue Discount Power on your own, then you must exclude yourself from the settlement. You will not get any money from this settlement if you exclude yourself. The Court will exclude any Class Member who properly requests exclusion by sending a letter or other written document by mail saying that you want to be excluded from *Chandler v. Discount Power*. Your exclusion request must also list your CL&P, Eversource or UI account number(s) and must include, for each account listed: (1) The full names and current addresses of everyone whose name is on the account; (2) A statement that everyone whose name is on the account satisfies the criteria set forth above to be a Settlement Class Member (as defined in the full Notice available at www.DiscountPowerSettlement.com); (3) A statement of intention to exclude everyone whose name is on the account from the Settlement Class; and (4) The signature of everyone whose name is on the account. Be sure to include your full name, address, signature, and date. You must mail your request for exclusion postmarked by **February 27, 2017** to: *Chandler v. Discount Power* Claims Administrator, P.O. Box 43034, Providence RI 02940-3034. You cannot ask to be excluded on the phone, by email, or at the website.

If I don't like something about the settlement, how do I tell the Court? If you don't exclude yourself from the settlement, you can object to any part of it. You must file your objection with the Court, and mail your written objection to Class Counsel and Discount Power's counsel by **February 27, 2017**. You may enter an appearance through an attorney if you so desire, but you do not have to do so. Complete details about how to object are set forth in the full Notice available on at www.DiscountPowerSettlement.com.

What if I do nothing? If you do nothing, you will not be eligible for a payment. All Class Members that do not opt out will be bound by the settlement and the decisions of the Court, and will release Discount Power (and the other Released Parties defined in the Settlement Agreement available at www.DiscountPowerSettlement.com) from all Released Claims (as also defined in the Settlement Agreement).

When is the Final Approval Hearing? The Court will hold a hearing in this case to consider whether to approve the settlement at 10:00 a.m. on **March 27, 2017**, at the Connecticut Superior Court, Judicial District of Hartford, Court Room No. 400 , 95 Washington Street, Hartford, CT 06106. You may go to the hearing, but you do not have to.

How do I get more information about the settlement? This email Notice contains limited information about the settlement. For more information, to view additional settlement documents (including the Settlement Agreement and the full Notice), and to review additional information concerning your rights and/or the filing of a claim, visit www.DiscountPowerSettlement.com or call 1-877-435-2043.