

# ABLE ENERGY INC

## FORM 8-K/A

(Amended Current report filing)

Filed 12/23/08 for the Period Ending 12/23/08

Address	344 ROUTE 46 ROCKAWAY, NJ 07866
Telephone	9736251012
CIK	0001065728
Symbol	ABLE
SIC Code	5990 - Retail Stores, Not Elsewhere Classified
Industry	Oil & Gas Operations
Sector	Energy
Fiscal Year	06/30

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**UNITED STATES**  
**SECURITIES AND EXCHANGE COMMISSION**  
WASHINGTON, D.C. 20549

**FORM 8-K/A**

**AMENDMENT NO. 1 TO**  
**CURRENT REPORT**

**Pursuant to Section 13 or 15(d) of**  
**the Securities Exchange Act of 1934**

Date of Report (Date of earliest event reported): **December 23, 2008**

**Able Energy, Inc.**

(Exact name of registrant specified in charter)

**Delaware**  
(State of Incorporation)

**001-15035**  
(Commission File Number)

**22-3520840**  
(IRS Employer Identification No.)

**198 Green Pond Road, Rockaway, NJ 07866**  
(Address of principal executive offices) (Zip Code)

**(973) 625-1012**  
Registrant's Telephone Number

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions (see General Instruction A.2. below):

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
  - Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
  - Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
  - Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
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**EXPLANATORY NOTE:**

This Amendment No. 1 on Form 8-K/A to the Registrant's previously filed Current Report on Form 8-K dated December 19, 2008 (the "Original Report") is being filed to include, as Exhibit 99.1 hereto, a corrected version of the press release previously attached as Exhibit 99.1 to the Original Report.

**Item 9.01 Financial Statements and Exhibits.**

Exhibits

99.1 Press Release dated December 19, 2008.

## SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

Able Energy, Inc.

By: /s/ Gregory D. Frost

Name: Gregory D. Frost

Title: Chief Executive Officer

Dated: December 23, 2008

# Able Energy Announces CFO Change

**Tuesday December 23, 2008, 2:43 pm ET**

Rockaway, N.J.--(BUSINESS WIRE)--Able Energy, Inc. ("Able" or the "Company") announced today that it has appointed John F. O'Brien as Interim Chief Financial Officer to replace Daniel Johnston who is leaving the Company for personal reasons. Mr. Johnston will continue to assist the Company on a consulting basis as his time permits and as required by the Company.

Mr. O'Brien has an extensive background in financial accounting management, regulatory requirements of public companies, investment banking, private equity, M&A, financial operations and venture capital. He has managed numerous transactions related to mergers and acquisitions for clients ranging in size from small capitalization enterprises to Fortune 1000 companies, handled public market IPOs, and provided strategic and financial advisory services to both public and private corporations in a variety of industries.

Most recently, Mr. O'Brien was a Managing Director at Aegis Capital Corp. Additionally, he has experience as the founder and CEO and CFO of MultiTechnics Corp. in Boston, MA, which was a multi-unit retail store chain. Earlier in his career, he also served as CFO of Miles River Development Corp., of Boston, a real estate development company. Mr. O'Brien holds a Bachelor of Arts degree in economics from Boston College.

Gregory D. Frost, the Company's CEO and Chairman, stated, "We thank Mr. Johnston for all his hard work and contributions to the Company, particularly in the preparation of our most recent financial reports. We are pleased to have Mr. O'Brien join us at this particularly challenging time and welcome his assistance in our effort to secure additional sources of capital to fund our operations and growth efforts. The current financial crisis in the US has presented us with similar difficulties as that of many other companies but we are making progress in stabilizing our business, cutting expenses and managing our limited resources."

The Company will continue to engage outside, independent financial consultants to assist Mr. O'Brien with the preparation of the Company's SEC filing requirements.

Able is engaged in two primary business activities, organized in two segments: the Oil Segment and the Travel Plaza Segment. The Company's Oil Segment is engaged in the retail distribution of, and the provision of services relating to, #2 home heating oil, propane gas, kerosene and diesel fuels. In addition to selling liquid energy products, the Company offers complete heating, ventilation and air conditioning ("HVAC") installation and repair and other services and also markets other petroleum products to commercial customers, including on-road and off-road diesel fuel, gasoline and lubricants. The Company's Travel Plaza Segment, operated by its wholly-owned subsidiary All American Plazas, Inc., is engaged in the retail sale of food, merchandise, fuel, personal services, onsite and mobile vehicle repair, services and maintenance to both the professional and leisure driver through a network of travel plazas, located in Pennsylvania, New Jersey, New York and Virginia.

This announcement includes forward-looking statements based on current expectations. Opinions, forecasts, projections or statements other than statements of historical fact, are forward-looking statements that involve risks and uncertainties. You can find the Company's filings with the Securities and Exchange Commission at [www.ableenergy.com](http://www.ableenergy.com) or at [www.sec.gov](http://www.sec.gov). By making these forward-looking statements, the Company undertakes no obligation to update these statements for revisions or changes after the date of this release.

*Contact:*

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CEO Chairman