

PLUG POWER INC  
Form 8-K  
November 14, 2003

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# **SECURITIES AND EXCHANGE COMMISSION**

**Washington, D.C. 20549**

## **FORM 8-K**

### **Current Report**

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

**Date of Report (Date of earliest event reported):**

**November 13, 2003**

**PLUG POWER INC.**

**(Exact Name of Registrant as Specified in its Charter)**

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**Delaware**  
(State or Other Jurisdiction  
of Incorporation)

**0-27527**  
(Commission File  
Number)

**22-3672377**  
(I.R.S. Employer  
Identification No.)

**968 Albany-Shaker Road, Latham, New York 12110**

(Address of Principal Executive Offices and Zip Code)

**(518) 782-7700**

(Registrant's telephone number, including area code)

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**Item 5. Other Events and Required FD Disclosure.**

On November 13, 2003, Plug Power Inc. (the Company ) issued a press release announcing that it had consummated its public offering of an aggregate of 11,700,000 shares of the Company s common stock at a purchase price of \$5.00 per share (the Shares ) to certain investors for aggregate gross proceeds of \$58,500,000, before placement fees and offering expenses. Citigroup Global Markets Inc. and Stephens Inc. acted as co-placement agents in connection with the sale of the Shares. The Shares are covered by the Company s Registration Statement on Form S-3 (File No. 333-109737) and were sold to the several purchasers named in, and pursuant to, the purchase agreement, dated as of November 10, 2003, by and among the Company and the purchasers named therein. A copy of the press release is attached to this Current Report on Form 8-K as Exhibit 99.1 and is incorporated herein by reference.

**Item 7. Financial Statements, Pro Forma Financial Information and Exhibits.**

(c) Exhibits.

<u>Exhibit Number</u>	<u>Description</u>
99.1*	Press Release of Plug Power Inc. dated November 13, 2003.

\* Filed herewith.

**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.

Dated: November 13, 2003

PLUG POWER INC.

By: /s/ David A. Neumann

David A. Neumann

Chief Financial Officer

**EXHIBIT INDEX**

99.1\* Press Release of Plug Power Inc. dated November 13, 2003.

\* Filed herewith.

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t-width: 0; border-right-width: 1; border-bottom-width: 1">10. Ownership Form of Derivative Security: Direct (D) or Indirect (I)  
 (Instr. 4)11. Nature of Indirect Beneficial Ownership  
 (Instr. 4)CodeV(A)(D)Date ExercisableExpiration DateTitleAmount or Number of Shares Class B Phantom Common Stock Units \$ 0  
(1)04/25/2005 I 1,907.2198 (1) (1) Class B common stock 1,907.2198 \$ 35.1325 0 D

**Reporting Owners**

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
FOLTA CARL D 1515 BROADWAY NEW YORK, NY 10036			EVP, Corporate Relations	

**Signatures**

/s/ Folta, Carl D.                      04/27/2005  
 \*\*Signature of                      Date  
 Reporting Person

**Explanation of Responses:**

- \* If the form is filed by more than one reporting person, see Instruction 4(b)(v).
- \*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- (1) Phantom common stock units are payable in cash following the Reporting Person's retirement or other termination of service pursuant to the Viacom Excess 401(k) Plan for Designated Senior Executives.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, see Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.