SEC Form 3 FORM 3

# UNITED STATES SECURITIES AND EXCHANGE

COMMISSION

Washington, D.C. 20549

### OMB APPROVAL

3235-OMB Number:

# **INITIAL STATEMENT OF BENEFICIAL OWNERSHIP OF SECURITIES**

0104 Estimated average burden hours per response: 0.5

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934 or Section 30(h) of the Investment Company Act of 1940

1. Name and Address of Reporting Person* 2. Date of Event Requiring Statemer (Month/Day/Year)   10/28/2021 10/28/2021		Statement ay/Year)	3. Issuer Name <b>and</b> Ticker or Trading Symbol <u>Fluence Energy, Inc.</u> [FLNC ]					
(Last)(First)(Middle)C/O FLUENCE ENERGY, INC.4601 FAIRFAX DRIVE, SUITE 600			4. Relationship of Reportin Issuer (Check all applicable) Director X Officer (give	10% Owner Other (specify		<ul><li>5. If Amendment, Date of Original Filed (Month/Day/Year)</li><li>6. Individual or Joint/Group Filing (Check Applicable Line)</li></ul>		
(Street) ARLINGTON VA 22203	_		A title below) SVP AND Chief Pi	below) roduct Off	ïcer	A Person	by One Reporting by More than One Person	
(City) (State) (Zip)								
Table I - Non-Derivative Securities Beneficially Owned								
, , ,			2. Amount of Securities Beneficially Owned (Instr. 4)	3. Owne Form: D (D) or In (I) (Instr	virect Ownership (Instr. 5) Indirect			
Table II - Derivative Securities Beneficially Owned     (e.g., puts, calls, warrants, options, convertible securities)								
1. Title of Derivative Security (Instr. 4)	ity (Instr. 4) 2. Date Exercisable a Expiration Date (Month/Day/Year)		(Instr. 4) or		Conversion or Exercis	Form:	6. Nature of Indirect Beneficial Ownership (Instr.	
	Date Exercisable	Expiration Date	Title	Amount or Number of Shares	Price of Derivative Security	Direct (D) or Indirect (I) (Instr. 5)	5)	
Stock Option	(1)	04/02/2031	Class A Common Stock	403,893	2.45	D		
Phantom Unit	(2)	(2)	Class A Common Stock	122,795	(3)	D		

**Explanation of Responses:** 

1. The stock option vests in three equal annual installments beginning on April 2, 2022.

2. The phantom units will vest in three equal annual installments with the first installment vesting on April 27, 2022, the second installment vesting on April 27, 2023 and the final installment vesting on April 27, 2024.

3. Each phantom unit is the economic equivalent of one share of the Issuer's Class A common stock and may be settled in cash or shares at the discretion of the Issuer's board of directors

#### **Remarks:**

Exhibit 24 - Power of Attorney.

/s/ Frank Fuselier as Attorney-in-fact for Rebecca Boll

10/28/2021

\*\* Signature of Reporting Person

Date

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

\* If the form is filed by more than one reporting person, see Instruction 5 (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).

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, see Instruction 6 for procedure.

Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB Number.

### POWER OF ATTORNEY

With respect to holdings of and transactions in securities issued by Fluence Energy, Inc. (the "*Company*"), the undersigned hereby constitutes and appoints the individuals named on <u>Schedule A</u> attached hereto and as may be amended from time to time, or any of them signing singly, with full power of substitution and resubstitution, to act as the undersigned's true and lawful attorney-in-fact to:

- 1. prepare, execute in the undersigned's name and on the undersigned's behalf, and submit to the United States Securities and Exchange Commission (the "*SEC*") a Form ID, including amendments thereto, and any other documents necessary or appropriate to obtain and/or regenerate codes and passwords enabling the undersigned to make electronic filings with the SEC of reports required by Section 16(a) of the Securities Exchange Act of 1934, as amended, or any rule or regulation of the SEC;
- 2. execute for and on behalf of the undersigned, Forms 3, 4, and 5 in accordance with Section 16 of the Securities Exchange Act of 1934, as amended, and the rules thereunder;
- 3. do and perform any and all acts for and on behalf of the undersigned which may be necessary or desirable to complete and execute any such Form 3, 4, or 5, complete and execute any amendment or amendments thereto, and timely file such form with the SEC and any stock exchange or similar authority; and
- 4. take any other action of any type whatsoever in connection with the foregoing which, in the opinion of such attorneyin-fact, may be of benefit to, in the best interest of, or legally required by, the undersigned, it being understood that the documents executed by such attorney-in-fact on behalf of the undersigned pursuant to this Power of Attorney shall be in such form and shall contain such terms and conditions as such attorney-in-fact may approve in such attorneyfact's discretion.

The undersigned hereby grants to each such attorney-in-fact full power and authority to do and perform any and every act and thing whatsoever requisite, necessary, or proper to be done in the exercise of any of the rights and powers herein granted, as fully to all intents and purposes as the undersigned might or could do if personally present, with full power of substitution and resubstitution or revocation, hereby ratifying and confirming all that such attorney-in-fact, or such attorneys-in-fact substitute or substitutes, shall lawfully do or cause to be done by virtue of this Power of Attorney and the rights and powers herein granted.

The undersigned acknowledges that the foregoing attorneys-in-fact, in serving in such capacity at the request of the undersigned, are not assuming, nor is the Company assuming, any of the undersigned's responsibilities to comply with Section 16 of the Securities Exchange Act of 1934, as amended.

This Power of Attorney shall remain in full force and effect until the undersigned is no longer required to file Forms 3, 4, and 5 with respect to the undersigned's holdings of and transactions in securities issued by the Company, unless earlier revoked by the undersigned in a signed writing delivered to the foregoing attorneys-in-fact.

IN WITNESS WHEREOF, the undersigned has caused this Power of Attorney to be executed as of this 15th day of September, 2021.

Signature:	/s/ Rebecca Boll
Print	Rebecca Boll
Name:	

# <u>Schedule A</u>

Individuals Appointed as Attorney-in-Fact with Full Power of Substitution and Resubstitution

Frank Fuselier Marek Wolek