FUELCELL ENERGY INC Form 8-K January 18, 2013

UNITED STATES SECURITIES AND EXCHANGE COMMISSION

WASHINGTON, DC 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): January 17, 2013

FUELCELL ENERGY, INC.

(Exact Name of Registrant as Specified in Charter)

Delaware (State or Other Jurisdiction

1-14204 (Commission 06-0853042 (IRS Employer

of Incorporation) File Number) Identification No.)

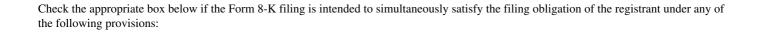
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3 Great Pasture Road, Danbury, Connecticut
(Address of Principal Executive Offices)
Registrant s telephone number, including area code: (203) 825-6000

06813 (Zip Code)

Not Applicable

(Former Name or Former Address, if Changed Since Last Report)



- " 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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Item 3.01 Notice of Delisting or Failure to Satisfy a Continued Listing Rule or Standard; Transfer of Listing.

On January 17, 2013, FuelCell Energy, Inc. (the Company) received a letter from the NASDAQ Stock Market stating that the Company has regained compliance with the NASDAQ minimum bid price Listing Rule 5450(a)(1) and that the matter is now closed.

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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.

FUELCELL ENERGY, INC.

Date: January 18, 2013 By: /s/ Michael Bishop

Michael Bishop

Senior Vice President, Chief Financial Officer, Corporate

Secretary and Treasurer