

STATE OF NEW HAMPSHIRE
BEFORE THE
NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION

Docket No. IR 13-244

**Investigation into Payment Hierarchy between Competitive Energy Suppliers and Electric
and Natural Gas Distribution Utilities**

Petition to Intervene on Behalf of Electricity N.H., LLC d/b/a/ E.N.H. Power

Electricity N.H., LLC d/b/a E.N.H. Power (“ENH Power”) respectfully petitions the New Hampshire Public Utilities Commission (“Commission”) for leave to intervene as a full party in the above-captioned proceeding pursuant to Rule Puc 203.17, RSA 541-A:32, and the August 20, 2013 Order of Notice (the “Order”) issued by the Commission. In support of this petition, ENH Power states as follows:

1. On August 20, 2013 the Commission issued an Order of Notice in the above-captioned docket opening an investigation into the payment hierarchy between competitive energy suppliers and electric and natural gas distribution utilities, in response to a May 9, 2013 letter from Staff and the Office of Consumer Advocate recommending such an investigation.

2. In the Order of Notice the Commission established a deadline of September 17, 2013 for the submission of petitions to intervene and set a prehearing conference for September 20, 2013.

3. ENH Power is a licensed competitive electricity supplier in New Hampshire providing retail electric supply to residential and small commercial customers in the service territories of Public Service Company of New Hampshire (“PSNH”), Unitil Energy Systems, and Liberty Utilities. In each service territory, ENH Power utilizes the distribution utilities’

consolidated billing services, whereby the distribution utilities collect customer payments and remit payments to ENH Power pursuant to a payment hierarchy.

4. As such, ENH Power is directly impacted by the payment hierarchies applied by the distribution utilities. As specified in the joint letter submitted by Staff and the OCA, the current payment hierarchy poses significant issues to competitive suppliers and consumers when partial payments are received by the distribution utilities, as well as in other circumstances. ENH Power has a substantial and specific interest in ensuring that any charges to the payment hierarchy are practical, equitable, and would support the continued development of the competitive energy supply market in New Hampshire pursuant to RSA 374-F:3. As a competitive supplier in New Hampshire with over 60,000 customers, ENH Power has knowledge and experience that is likely to be of value to the Commission in this proceeding.

5. Pursuant to RSA 541-A:32, Admin. Rule 203.17, and established Commission precedent, the Commission must grant a petition to intervene if: (a) the petition is submitted in writing at least three days before the hearing; (b) the petition states facts demonstrating how the petitioner is substantially and specifically affected by the proceeding; and (c) the intervention would be in the interests of justice and would not impair the orderly conduct of the proceeding. The Commission also has the discretion to grant a petition to intervene “at any time, upon determining that such intervention would be in the interests of justice and would not impair the orderly and prompt conduct of the proceedings.” RSA 541-A:32,II.

6. The equity and implementation of distribution utility payment hierarchies for remittance of payments to competitive suppliers are important factors in the development of retail electric markets. As a competitive electricity supplier in New Hampshire, ENH Power is directly impacted by the payment hierarchy applied to competitive suppliers by the distribution

utilities. Therefore, the rights, duties, privileges and/or substantial interests of ENH Power may be affected by this proceeding. ENH Power believes it must intervene in this proceeding to protect these rights. Granting this petition for intervention would be in the interest of justice, and ENH Power's intervention will not impair the orderly conduct of this proceeding.

WHEREFORE, ENH Power respectfully requests that the Commission grant it full party intervenor status in the proceeding or grant such other relief as the Commission deems fair and just.

Respectfully submitted,

Electricity N.H., LLC d/b/a/ E.N.H. Power
By Its Attorneys
Bernstein, Shur, Sawyer & Nelson, P.A.

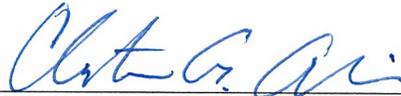
Dated: September 11, 2013



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Certificate of Service

I hereby certify that a copy of the foregoing Petition has on this 11th day of September, 2013, been sent by email to the service list in Docket IR 13-244.



Christopher G. Aslin