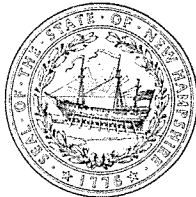


CHAIRMAN  
Amy L. Ignatius

COMMISSIONERS  
Michael D. Harrington  
Robert R. Scott

EXECUTIVE DIRECTOR  
Debra A. Howland

THE STATE OF NEW HAMPSHIRE



PUBLIC UTILITIES COMMISSION  
21 S. Fruit Street, Suite 10  
Concord, N.H. 03301-2429

TDD Access: Relay NH  
1-800-735-2964

Tel. (603) 271-2431

FAX (603) 271-3878

Website:  
[www.puc.nh.gov](http://www.puc.nh.gov)

January 7, 2014

NEPUC 700V14Jan11:53

Robert Abraham  
Customized Energy Solutions  
1528 Walnut Street, 22<sup>nd</sup> Floor  
Philadelphia, PA 19102

Re: DM 13-360, Ethical Electric, Inc.  
Competitive Electric Power Supplier Application  
Deficiency Letter

Dear Mr. Abraham:

On December 26, 2013, Ethical Electric, Inc. (Ethical Electric) submitted an application to the Commission for registration as a competitive electric power supplier (CEPS). Commission Staff has reviewed the application and determined it is incomplete and therefore does not comply with the requirements of N.H. Code Admin. Rule Puc 2003. In particular, Staff identified the following requirements that have not been met and the related items which are missing from the application:

- 1) Copy of residential customer contract.

*Puc 2006.01 Form for Initial and Renewal of Competitive Electric Power Suppliers.*

*(20) A copy of each contract to be used for residential and small commercial customers;*

- 2) Proof of financial surety.

*Puc 2003.01(d)(4) Evidence of financial surety, as defined in Puc 2003.03.*

- 3) Proof of EDI testing with each distribution utility that the applicant intends to do business with.

*Puc 2003.01(d)(1) Demonstration of technical ability to provide for the efficient and reliable transfer of data and electronic information between utilities and the CEPS in the form of:*

*(a) A statement from each utility with which the CEPS intends to do business indicating that the applicant has complied with the training and testing requirements for electronic data interchange.*

*(c) A statement from each utility with which the CEPS does or intends to do business indicating that the applicant has successfully demonstrated electronic transaction capability.*

4) A listing of complaints.

*Puc 2006.01(13) A listing disclosing the number and type of customer complaints concerning the applicant or its principals, if any, filed with a state licensing/registration agency, attorney general's office or other governmental consumer protection agency for the most recent calendar year in every state in which the applicant has conducted business relating to the sale of electricity;*

Regarding item #1, Ethical Electric provided a copy of a contract that appears to be written for use in another state, not for New Hampshire. The application should include a contract intended for use in New Hampshire that complies with Puc 2004.02, Provision of Information to Customers by Competitive Electric Power Suppliers.

Regarding item #2, the surety bond filed by Ethical Electric does not meet the requirements of Puc 2003.03 because it does not state that the term of the bond is for at least 5 years and 150 days after the date the application was filed it and because it includes a provision under which the instrument can be terminated by the surety upon 30 days prior notice. Please also confirm that it is not necessary for the bond to contain the corporate seal of the surety.

Regarding item #4, Ethical Electric's application included a reference to a complaint filed against it in Pennsylvania. Please identify the agency or office in which the complaint was filed.

In order to complete your application you should respond accordingly to the items listed above. When responding, address your letter to Debra A. Howland, Executive Director, and reference the docket number listed on the subject line of this letter.

Pursuant to Puc 2003.04 (h), please provide all information requested within 60 days of the date of this letter, on or before **March 6, 2014**. Puc 2003.04 (h) is copied below.

*Puc 2003.04(h) If the commission has requested information or clarification to complete an application for registration, and such information or clarification is not provided within 60 days of the request, the commission shall suspend the application. If, after 120 days of the date of the request, the applicant has not*

*provided the requested information or clarification, the commission shall reject the application. If an application is rejected, the application fee shall be forfeited and the applicant shall be required to submit a new application and fee prior to acting as a CEPS in New Hampshire.*

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Goyette', with a stylized flourish at the end.

David Goyette  
Utility Analyst III

cc: Service List  
Docket File