

THE STATE OF NEW HAMPSHIRE



CHAIRMAN
Martin P. Honigberg

COMMISSIONERS
Robert R. Scott
Kathryn M. Bailey

EXECUTIVE DIRECTOR
Debra A. Howland

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

April 19, 2016

Kelli Singer, Director of Operations
Nordic Energy Services, LLC
One Tower Lane, Suite 300
Oakbrook Terrace, IL 60181

Re: DM 15-496, Nordic Energy Services, LLC
Competitive Electric Power Supplier Application
Denial of Confidential Treatment for Customer Contract Form

Dear Ms. Singer:

On December 10, 2015, Nordic Energy Services, LLC (Nordic Energy) filed an application to register as a competitive electric power supplier (CEPS). Nordic Energy's filing included a motion for confidential treatment of (1) its listing of the number and type of customer complaints during the most recent calendar year, and (2) its proposed form of residential and small commercial customer contract. On March 4, 2016, Nordic Energy withdrew its request for confidential treatment of the listing of customer complaints, but maintained its request for confidential treatment of the proposed form of residential and small commercial customer contract. On April 14, 2016, Nordic Energy filed, under claim of confidentiality, proposed final revisions to its residential and small commercial customer contract form.

Commission Staff (Staff) filed a memorandum on April 15, 2016 stating its position that contracts intended for transactions with residential and small commercial customers should not be afforded confidential treatment by the Commission. In Staff's view, all residential and small commercial customer contracts filed by a CEPS and reviewed by the Commission should be publicly available for inspection, especially by potential customers of the CEPS, and not be limited to review by only Staff and the Commission. Staff emphasized the importance of contract terms transparency, in particular as a means of enabling informed decisions by customers choosing among offers from different CEPS. Staff further indicated it is unaware that any other CEPS has been granted or even requested confidential treatment for its residential and small commercial customer contract form(s). According to Staff, the contract forms used by Nordic Energy's CEPS competitors therefore are publicly reviewable by both prospective and current customers, and Nordic Energy's contract form should be as well.

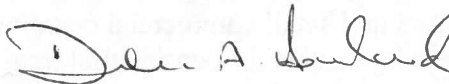
Page two

Based on these considerations, Staff concluded that Nordic Energy has little or no privacy interest in its proposed form of residential and small commercial customer contract, and whatever privacy interest it may have in the contract form is outweighed by the public interest in its disclosure. Staff recommended that the Commission deny confidential treatment of Nordic Energy's form of residential and small commercial customer contract, and direct Nordic Energy to file a public, unredacted version of the complete contract form within 30 days of such denial.

The Commission has reviewed Nordic Energy's request for confidential treatment of its form of residential and small commercial customer contract and Staff's recommendation that confidential treatment be denied. The Commission has found that any possible privacy interest of Nordic Energy in the contents or format of such contract form is outweighed by the substantial public interest in its disclosure, for the reasons identified by Staff in its recommendation.

The Commission therefore has denied Nordic Energy's request for confidential treatment and has directed Nordic Energy to submit a public, unredacted version of its form of residential and small commercial customer contract within 30 days of the date of this letter. Accordingly, Nordic Energy must file a public, unredacted version of its complete residential and small commercial customer contract form by May 19, 2016.

Sincerely,

A handwritten signature in dark ink, appearing to read "Debra A. Howland". The signature is fluid and cursive, with the first name "Debra" being more prominent.

Debra A. Howland
Executive Director

cc: Service List
Docket File

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

Executive.Director@puc.nh.gov

amanda.noonan@puc.nh.gov

cds@gscb-law.com

david.goyette@puc.nh.gov

david.wiesner@puc.nh.gov

ksinger@nordicenergy-us.com

leszek.stachow@puc.nh.gov

margaret.raymond@puc.nh.gov

pbrown@preti.com

tom.frantz@puc.nh.gov

Docket #: 15-496-1 Printed: April 20, 2016

FILING INSTRUCTIONS:

- a) **Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:**
DEBRA A HOWLAND
EXEC DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429
- b) **Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.**
- c) **Serve a written copy on each person on the service list not able to receive electronic mail.**