

STATE OF NEW HAMPSHIRE**Inter-Department Communication**

DATE: May 20, 2016
AT (OFFICE): NHPUC

David TLF

FROM: David Goyette, Utility Analyst III

SUBJECT: DM 15-496, Nordic Energy Services, LLC
Application for Registration as Competitive Electric Power Supplier

TO: Commissioners
Debra Howland, Executive Director

Executive Summary

Nordic Energy has applied to register as a competitive electric power supplier. Nordic Energy submitted a certificate demonstrating it completed EDI testing with Eversource, Liberty, and UES, a sample residential and small commercial customer contract, a surety bond in the amount of \$100,000, and a request for a waiver of the five-year and 150-day term requirement for financial security. If the Commission were to grant the requested rule waiver, Staff believes the filing is acceptable. Staff recommends the Commission grant the waiver and approve the application for a renewal registration period ending on the termination date of the surety bond.

Background and Analysis

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 application included a surety bond in the amount of \$100,000, which became effective April 1, 2015 and expires March 31, 2016, and names the Commission as obligee, documentation that demonstrates it has completed electronic data interchange (EDI) testing with Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource), Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty Utilities (Liberty), and Unitil Energy Systems (UES), and evidence that it is able to obtain supply in the New England energy market. Nordic Energy also filed a residential and small commercial customer contract (contract) and a listing disclosing the number and type of customer complaints, for both of which it requested confidential treatment.

On January 12, 2016, Nordic Energy filed a continuation certificate that extends the expiration date of the surety bond to March 31, 2017. On January 13, 2016, Nordic Energy filed a request for a waiver of Puc 2003.03(a)(5), which requires the financial security filed with an initial CEPS application have a term of five years and 150 days. On January 25, 2016, Commission Staff requested revisions to Nordic Energy's contract. On March 4, 2016, Nordic filed a statement that it withdraws its request for confidential

treatment of its listing of customer complaints and an unredacted version of the listing. On April 4, 2016, Nordic Energy filed a revised contract marked "confidential."

On April 15, 2016, Staff filed a memo recommending the Commission deny Nordic Energy's request for confidential treatment of its contract and direct Nordic Energy to file a public unredacted version of the contract within 30 days. On April 19, 2016, the Commission denied Nordic Energy's request for confidential treatment and directed the company to file an unredacted version of its contract by May 19, 2016. On May 16, 2016, Nordic Energy filed an unredacted version of the contract.

Staff has reviewed the information in the application, and, if the Commission were to grant approval of the waiver request of the financial security term requirement, believes it meets the requirements of Puc 2003 and 2006.01. Staff recommends that the Commission grant the request for a waiver of Puc 2003.03(a)(5) and, because the surety bond does not meet the five-year and 150-day requirement and because it expires on March 31, 2017, that the Commission approve an initial registration period with a term concurrent with the surety bond, beginning on the date of the Commission's approval letter and ending at the close of business on March 31, 2017. Staff also recommends that, if the Commission grants the requested waiver, the Commission notify Nordic Energy that the financial security rules are likely to change during 2016 and that Nordic Energy should monitor the rulemaking process in Docket No. DRM 13-151 and plan accordingly with respect to future operations in New Hampshire.

Nordic Energy filed documentation that demonstrates it has completed EDI testing with Eversource, Liberty, and UES. Staff, therefore, recommends that the Commission approve Nordic Energy's application to register as a CEPS, and that it permit Nordic Energy to serve residential and small commercial customers and operate only in the service areas of Eversource, Liberty, and UES. If Nordic Energy seeks to operate in the service area of any other distribution company, it can do so by filing a request with the Commission to extend its service area, and by providing proof that it has completed EDI testing with each distribution company in whose franchise area it requests authority to operate. Staff will then review the request and make a recommendation to the Commission.

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.

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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.**