DM19-270

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<u>Application for Renewal of Registration as a Competitive Electric Power Supplier in</u> <u>New Hampshire</u>

December 17, 2009

<u>PUC 2003.01 – Section (c)</u>

(1) Legal name of the applicant:

Consolidated Edison Solutions, Inc.

(2) Applicant contact information:

Consolidated Edison Solutions, Inc. 100 Summit Lake Drive, Suite 410 Valhalla, NY 10509 Phone: (914) 286-7000 Fax: (914) 686-1412 Website: <u>www.conedsolutions.com</u>

(3) Applicant's place of incorporation:

State of New York

(4) Contact information for applicant's corporate officers:

Jorge J. Lopez President and Chief Executive Officer c/o Consolidated Edison Solutions, Inc, 100 Summit Lake Drive, Suite 410 Valhalla, NY 10595 Phone: (914) 286-7779 Fax: (914) 286-7736

Robert E. Anderson Vice President, Retail Commodity Services c/o Consolidated Edison Solutions, Inc. 100 Summit Lake Drive, Suite 410 Valhalla, NY 10595 Phone: (914) 286-7709 Fax: (914) 286-7736



James J. Dixon Vice President, Energy Services c/o Consolidated Edison Solutions, Inc. 100 Summit Lake Drive, Suite 410 Valhalla, NY 10509 Phone: (914) 286-7085 Fax: (914) 686-1412

Mark Glucksman Vice President, Finance & Accounting c/o Consolidated Edison Solutions, Inc. 100 Summit Lake Drive, Suite 410 Valhalla, NY 10509 Phone: (914) 286-7045 Fax: (914) 448-2670

Paul F. Mapelli Vice President & General Counsel c/o Consolidated Edison Solutions, Inc. 100 Summit Lake Drive, Suite 410 Valhalla, NY 10595 Phone: (914) 286-7041 Fax: (914) 686-1413

James Mueller Vice President, Customer Operations c/o Consolidated Edison Solutions, Inc. 100 Summit Lake Drive, Suite 410 Valhalla, NY 10595 Phone: (914) 286 -7721 Fax: (914) 686-1413

Michael N. Perna Vice President, Business Development c/o Consolidated Edison Solutions, Inc. 100 Summit Lake Drive, Suite 410 Valhalla, NY 10595 Phone: (914) 286-7035 Fax: (914) 686-1413

(5) Copy of applicant's most recent audited financial statement; Consolidated Edison Solutions, Inc. audited financials are filed with its parent company, Consolidated Edison Inc. See Attachment 1.

(6) The following regarding any affiliate and/or subsidiary of the applicant:

a. The name and business address of the entity; and

b. A description of the business purpose of the entity; and

c. Regarding any agreements with any affiliated New Hampshire jurisdictional electrical distribution company, a description of the nature of the agreement;

Consolidated Edison Company of New York, Inc. 4 Irving Place New York, NY 10003

(Regulated utility serving customers in New York).

Consolidated Edison Energy, Inc. 100 Summit Lake Drive, Suite 410 Valhalla, NY 10595

(Markets the electric production of Consolidated Edison Development's generation facilities, supplies electricity to wholesale customers and procures electricity for Consolidated Edison Solutions, Inc.)

Consolidated Edison Development, Inc. 100 Summit Lake Drive, Suite 410 Valhalla, NY 10595

(Owns, leases or operates energy and infrastructure projects principally in the U.S.)

Orange and Rockland Utilities, Inc. One Blue Hill Plaza Pearl River, NY 10965

(Regulated utility which, together with its wholly-owned utility subsidiaries, serves customers in New York, New Jersey, and Pennsylvania).

(7) The toll-free number of the customer service department or the name, title and toll free number of the customer service contact person:

Valerie Abrams Manager, National Accounts c/o Consolidated Edison Solutions, Inc. 100 Summit Lake Drive, Suite 410 Valhalla, NY 10595 1-800-316-8011 (8) Name, title, business address, telephone number, facsimile number and email address of the individual responsible to commission inquiries:

Adam Fairbanks Director, Regulatory & Business Support Consolidated Edison Solutions, Inc. 100 Summit Lake Drive, Suite 410 Valhalla, NY 10595 Phone: (914) 286-7035 Fax: (914) 993-2150 Email: <u>FairbanksA@conedsolutions.com</u>

(9) Name, title, business address and telephone number of the applicant's registered agent in New Hampshire for service of process;

Elizabeth Truitt Customer Service Representative c/o Corporation Service Company d/b/a Lawyers Incorporating Service 14 Centre Street Concord, NH 03301 Phone: 1-888-690-2882

(10) A copy of the applicant's authorization to do business in New Hampshire from the New Hampshire secretary of state.

See Attachment 2.

(11) Description of geographic areas of New Hampshire in which the applicant intends to provide service describe by:

- a. A distribution service company's existing franchise area;
- b. Existing town or boundaries; or
- c. A map with the boundary limits delineated;

Consolidated Edison Solutions, Inc. provides service to Unitil Energy Systems Territory, Granite State (National Grid), and Public Service of New Hampshire (Northeast Utilities).

(12) A description of the types of customers the applicant intends to serve, and the customer classes as identified in the applicable utility's tariff within which those customers are served;

Consolidated Edison Solutions, Inc. serves middle to large size G1 service class customers.

(13) A listing disclosing the number and type of customer complaints concerning the applicant or its' principal, 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;

See Attachment 3.

(14) A statement as to whether any of the applicant's or any of the persons listed in principals, as listed below, have ever been convicted of any felony that has not been annulled by a court:

- a. For partnerships, any of the general partners;
- b. For corporations, any of the officers or directors; or
- c. For limited liability companies, any of the managers or members;

<u>Directors</u> JoAnn Ryan Robert Hoglund Elizabeth D. Moore

Officers

Jorge J. Lopez – President and Chief Executive Officer Robert A. Anderson – Vice President, Retail Commodity Services James J. Dixon – Vice President, Energy Services Mark Glucksman – Vice President, Finance & Accounting Paul F. Mapelli – Vice President & General Counsel James Mueller – Vice President, Customer Operations Michael N. Perna – Vice President, Business Development

As of December 17, 2009 and to the best of our knowledge and belief, none of the officers or directors of Consolidated Edison Solutions, Inc. listed above have ever been convicted of any felony that has not been annulled by a court.

(15) A statement as to whether the applicant or any of the persons listed in (14) above has, within the 10 years immediately prior to registration:

a. Had any civil, criminal or regulatory sanctions or penalties imposed

against them pursuant to any state or federal consumer protection law or regulation; (b) Settled any civil, criminal or regulatory investigation or complaint involving any state or federal consumer protection law or regulation; or

b. Is currently the subject of any pending civil, criminal or regulatory investigation or complaint involving any state or federal consumer protection law or regulation;

As of December 17, 2009, and to the best of our knowledge and belief, none of the officers or directors of Consolidated Edison Solutions, Inc. listed above has within the 10 years immediately prior to registration is or currently the subject of any pending civil, criminal or regulatory investigation or complaint involving any state or federal consumer protection law or regulation.

(16) If an affirmative answer is given to any item in (14) or (15) above, an explanation of the event;

(17) For those applicants intending to telemarket, a statement that the applicant shall: n/a

a. Maintain a list of consumers who request being placed on a do-not-call list for the purposes of telemarketing;

b. Obtain, no less than semi-annually, access to updated telephone preference services lists maintained by the Direct Marketing Association; and

c. Not initiate calls to New Hampshire customers who have either requested being placed on do-not-call lists or customers who are listed on the Direct Marketing association's telephone preference lists;

(18) For those applicants that intend not to telemarket, a statement to that effect shall be provided;

Consolidated Edison Solutions, Inc. does not intend to telemarket in the state of New Hampshire.

(19) A sample bill forms(s) that the applicant intends to use or a statement that the applicant intends to use the transmission/distribution company's billing service; See Attachment 4.

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

Consolidated Edison Solutions, Inc. does not intend to serve residential or small commercial customers.

(21) A statement certifying that the applicant has the authority to file the applications on behalf of the CEPS and that is contents are truthful, accurate, and complete.

I, Jorge J. Lopez, hereby certify that I have the corporate authority to file this application on behalf of the CEPS (Consolidated Edison Solutions, Inc.) and that, to the best of my knowledge, its contents are truthful, accurate and complete.

Jorge J. Lopez Consolidated Edison Solutions, Inc. President and Chief Executive Officer

Sworn to before me this $\int T^{(1)} day$ of December, 2009

Notary Public

(d) Each CPS applicant shall provide the following in or with its application:

(1) Demonstration of technical ability to provide for the efficient and reliable transfer of data and electronic information between regulated distribution companies and CEPS in the form of:

a. A statement from each electric distribution company with which the CEPS intends to do business indicating that the applicant has complied with the training and testing requirements for electronic data interchange; and

See Attachment 5.

b. A statement from each electric distribution company with which the CEPS intends to do business indicating that the applicant has successfully demonstrated electronic transaction capability; See Attachment 6.

(2) Evidence, including but not limited to proof of membership in the New England Power Pool (NEPOOL) or any successor organization or documentation of a contractual sponsorship relationship with a NEPOOL member, that the CEPS is able to obtain supply in the New England energy market;

See Attachment 7.

(3) A \$250.00 renewal registration fee;

Fee enclosed.

(4) Evidence of financial security, as follow:

a. The security shall be in the form of a surety bond or other financial instrument showing evidence of liquids, such as a certificate of deposit, an irrevocable letter of credit, a line of credit, a loan or a guarantee;

b. The security shall:

1. Be the greater of;

(i). \$100,000.00; or

(ii). 20% of the CEPS's estimated gross receipts for its first full year of operation, not including revenue from the provision of transition or default service; and

2. Not to exceed \$350,000.00; and

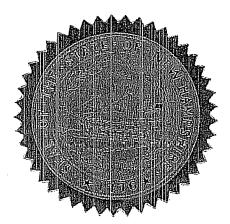
c. The security shall name the commission as obligee.

See Attachment 8.

State of New Hampshire Department of State

CERTIFICATE

I, William M. Gardner, Secretary of State of the State of New Hampshire, do hereby certify that CONSOLIDATED EDISON SOLUTIONS, INC., a(n) New York corporation, is authorized to transact business in New Hampshire and qualified on February 6, 2003. I further certify that all fees and annual reports required by the Secretary of State's office have been received.



In TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed the Seal of the State of New Hampshire, this 9th day of November, A.D. 2009

William M. Gardner Secretary of State