



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

**DATE:** December 8, 2011  
**AT (OFFICE):** NHPUC

*SEM*

**FROM:** Al-Azad Iqbal  
Utility Analyst III

**SUBJECT:** DM 11-<sup>175</sup>~~075~~ Application of Viridian Energy MD LLC for Registration as a Competitive Electric Power Supplier (CEPS); Staff's Recommendation for Approval

**TO:** Debra A. Howland  
Executive Director

On August 11, 2011, the New Hampshire Public Utilities Commission (Commission) received an application from Viridian Energy MD LLC (Viridian) for its registration as a Competitive Electric Power Supplier (CEPS). In its letter, Viridian stated that it was in the process of meeting the electric data transfer requirements (EDI Testing) other than PSNH, pursuant to Puc 2003.01(d)(1). On September 9, 2011, Staff sent a deficiency letter regarding Viridian's financial security which did not meet the requirements pursuant to Puc 2003.03(a). On September 22, 2011, Viridian filed a waiver request for Puc 2003.03(a)(5) which requires for an initial application that financial surety have an expiration date of not less than 5 years and 150 days after the date the applicant's application is filed. Instead, the company proposed to submit a financial surety with an expiration date of one year after the application is filed. Viridian stated that it was unable to get financial surety for more than one year in duration from the company providing its financial surety and proposed that Viridian will renew its registration annually per Puc 2003.02. On November 28, Viridian submitted its financial surety with an expiration date of September 30, 2013.

Staff has reviewed Viridian's application and believes that it meets the requirements of Puc 2006.01. It is Staff's recommendation that Viridian's application for Registration as a CEPS be approved to serve only PSNH customers at this time. Upon completion of EDI testing with the remaining utilities, Viridian can request extension of its service to the service territories of those utilities by updating its application with documentation demonstrating successful completion of the testing. Upon receipt of such submittal, Staff will review the information and make a recommendation to the Commission. Staff encourages Viridian to consolidate the submittal of such updates to result in a more efficient review process. In regard to annual renewal, Staff recommends that the Commission grant the waiver for this year and suggest that Viridian obtains a financial surety in accordance to Puc 2003.03(a)(5) in future renewals. Staff also recommends that the registration be granted until the expiration date of the current financial surety, and thus the renewal would be due 60 days before September 30, 2013.

Should you have any questions, please do not hesitate to contact me.