

# STATE OF NEW HAMPSHIRE

## Inter-Department Communication

DATE: January 30, 2012

AT (OFFICE): NHPUC

FROM: Alexander F. Speidel *ASD*  
Staff Attorney  
Robert J. Wyatt  
Utility Analyst IV

SUBJECT: Staff Recommendation  
DM 11-275 John Orr d/b/a U.S. Energy Management Services  
Natural Gas Aggregator Registration Application

TO: Debra Howland  
Executive Director

Staff has completed its review of the natural gas aggregator registration application for John Orr d/b/a U.S. Energy Management Services (USEMS), as filed on December 16, 2011. On January 3, 2012, USEMS filed a letter to clarify its waiver request and to revise one section of its original registration application. At Staff's suggestion, USEMS withdrew its waiver request on January 25, 2012. The registration application is now in general compliance with the requirements of N.H. Code Admin. Rules Puc 3003.04.

USEMS, on its own initiative, notes within its original waiver request that it unwittingly violated Puc 3003.04(a) by arranging for the sale of natural gas to two natural gas customers in New Hampshire, even though USEMS was not yet registered as a natural gas aggregator in New Hampshire as of that time. Specifically, USEMS was engaged, as of January 2009, as a broker in the sale of natural gas from Hess Energy to a national hotel chain's 7 locations in the Northeast, including two locations in New Hampshire (Manchester and Portsmouth). USEMS had not comprehended its need to register as a natural gas aggregator in New Hampshire until informed of this requirement by Hess Energy, its supplier.

Staff views USEMS's offering of these services without being an approved gas aggregator with concern. Nevertheless, the applicant has come forward on its own initiative to correct this error, and Staff appreciates USEMS's candor and efforts to come into compliance with New Hampshire registration rules. Staff expects that USEMS will remain cognizant of NHPUC requirements going forward, and act accordingly. Therefore, Staff recommends approval of the application for USEMS to become a natural gas aggregator in New Hampshire.

Should you have any questions regarding this registration application, please do not hesitate to contact Alexander Speidel of the Legal Division, or Robert Wyatt of the Gas/Water Division.

Cc: Service List (electronically)