

DM 13-121



Forward Thinking Energy



October 31, 2013

**Jay L. Kooper**  
Director of Regulatory Affairs  
Energy Marketing

VIA OVERNIGHT MAIL

The Honorable Debra A. Howland  
Executive Director and Secretary  
New Hampshire Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, NH 03301-2429

RE: Hess Corporation – Sale of Energy Marketing Business To  
Direct Energy – Withdrawal of Request For Waiver From Certain  
Provisions of Rule PUC 2004.05(l) Pursuant To Rule PUC 201.05

Dear Secretary Howland:

Hess Corporation (“Hess”) submits this correspondence following up on correspondences dated August 22, 2013 in which we notified the Commission of the impending sale of Hess’ energy marketing business to Direct Energy (“Direct”), and correspondences dated September 20 and 23, 2013 in which we requested a waiver from certain provisions of Rule Puc 2004.05(l).

Hess seeks to withdraw its request for waiver as outlined in the September 20 and 23 correspondences. As discussed, in our August 22 correspondence, the existing Hess licenses are going to remain in operation for any customer who cannot be transferred to Hess Energy Marketing, LLC (“HEM) following the close of the sale to Direct, still expected on November 1, 2013. Following the close of the sale, HEM will be acting as the agent for Hess in operating the Hess licenses. Therefore, to ensure a smooth transition, Hess will not be transferring customers in New Hampshire from Hess to HEM absent the customer’s express written consent to a transfer following a full notification from Hess. In this situation, the default position is that a customer who does not act to provide affirmative written consent will remain under the Hess license with no transfer taking place.

In light of these circumstances, Hess sees no need to request a waiver if Rule Puc 20014.05(l) will not be triggered and therefore respectfully seeks withdrawal of its request.

Should you have any questions regarding this matter, please contact me at (732) 750-7048 or [jkooper@hess.com](mailto:jkooper@hess.com).

Sincerely,

Jay L. Kooper  
Director of Regulatory Affairs

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