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STATE OF NEW HAMPSHIRE



PUBLIC UTILITIES COMMISSION 21 S. Fruit St., Suite 10 Concord, N.H. 03301-2429

January 14, 2014

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Anna Cvitkovic Regulatory Compliance and Legal Specialist Mint Energy, LLC One Rounder Way, Suite 220 Burlington, MA 01803

Re: DM 14-008, Mint Energy, LLC

Competitive Electric Power Supplier Application

**Deficiency Letter** 

Dear Ms. Cvitkovic:

On January 10, 2014, Mint Energy, LLC (Mint Energy) submitted an application to the Commission for registration as a competitive electric power supplier (CEPS). Commission Staff has reviewed the application and determined it is incomplete and therefore does not comply with the requirements of N.H. Code Admin. Rules Puc 2003. In particular, Staff identified the following requirement that has not been met and the related item which is missing from the application:

1) Proof of financial surety.

Puc 2003.01(d)(4) Evidence of financial surety, as defined in Puc 2003.03.

Regarding item #1, the surety bond filed by Mint Energy does not meet the requirements of Puc 2003.03 because the term of the bond is not for at least 5 years and 150 days after the date the application was filed. In addition, the conditions for payment of the bond should be expanded. The language regarding conditions for payment could include a statement such as "Upon notice from Obligee of Principal's nonperformance of its duties as a New Hampshire CEPS, or Principal's fraud or other violations of the laws, decisions, and orders applicable to Principal's CEPS registration."

In order to complete your application you should respond accordingly to the item listed above. When responding, please address your letter to Debra A. Howland, Executive Director, and reference the docket number listed on the subject line of this

letter.

Pursuant to Puc 2003.04 (h), please provide all information requested within 60 days of the date of this later, on or before **March 15, 2014**. Puc 2003.04 (h) is copied below.

Puc 2003.04(h) If the commission has requested information or clarification to complete an application for registration, and such information or clarification is not provided within 60 days of the request, the commission shall suspend the application. If, after 120 days of the date of the request, the applicant has not provided the requested information or clarification, the commission shall reject the application. If an application is rejected, the application fee shall be forfeited and the applicant shall be required to submit a new application and fee prior to acting as a CEPS in New Hampshire.

Sincerely,

David Goyette

Utility Analyst III

cc: Service List Docket File