

STATE OF NEW HAMPSHIRE
BEFORE THE
NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION

DE 14-211

LIBERTY UTILITIES (GRANITE STATE ELECTRIC) CORP. D/B/A LIBERTY UTILITIES

Petition for Alternate Plan for Procurement of Energy Services Requirements for All Customer Groups

Petition to Intervene on Behalf of NextEra Energy Power Marketing, LLC

NextEra Energy Power Marketing, LLC (“NEPM”) respectfully petitions the New Hampshire Public Utilities Commission (“Commission”) for leave to intervene as a full party in the above-captioned proceeding under Rule Puc 203.17 and RSA 541-A:32. In support of this petition, NEPM states as follows:

1. On August 1, 2014 Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty Utilities (“Liberty”) filed a petition for approval of an alternate plan for procurement of energy service requirements for all customer groups in the event of an unsuccessful competitive solicitation for such requirements. The Commission issued an Order of Notice opening this docket on August 8, 2014. In its Order of Notice the Commission said that the filing raises issue related to whether the method by which Liberty proposes to set rates is just and reasonable and consistent with RSA 374-F:3 (the electric restructuring policy principles), whether its reconciliation method is in the public interest, and whether the creation of a non by-passable charge for recovery of under collections is consistent with RSA 374-F:3, XII.

2. In that Order of Notice the Commission set a deadline of August 18, 2014 for the submission of petitions to intervene and August 25, 2014 for discovery requests. The Commission has not had a prehearing conference in this docket as of this time. The first meeting of the parties will occur at a technical session/settlement discussion on September 5, 2014.

3. NEPM is a unit of NextEra Energy Resources, a company that owns and operates over 16,000 megawatts of electric generating capacity in 23 states and is the country's largest generator of wind and solar energy. NEPM is a wholesale supplier of electricity products in the New England markets and elsewhere.

4. Pursuant to RSA 541-A:32, Admin. Rule 203.17, and precedent established by the Commission, it must grant a petition to intervene if: (a) the petition is submitted in writing *at least three days before the hearing*; (b) the petition describes how the petitioner is substantially and specifically affected by the proceeding; and (c) the intervention would be in the interests of justice and would not impair the orderly conduct of the proceeding. Emphasis added. The Commission also has the discretion to grant a petition to intervene "*at any time*, upon determining that such intervention would be in the interests of justice and would impair the orderly conduct of the proceedings." RSA 541-A:32,II [emphasis added].

5. Liberty's proposal includes a request for a modification to the bidding process in which wholesale suppliers like NEPM participate. In the technical statement accompanying the filing, p. 3, it says the following: "If only one bidder submits a final bid in a block and both the Commission Staff and Liberty agree that the bid is unreasonable and above market, then no supply will be awarded." NEPM submits that it would be important in this docket to obtain more detail about how the process will be conducted and evaluated and

to discuss the merits and benefits of more than one round of bidding. It would therefore serve the interests of justice to have a wholesale supplier at the technical session and at the table for settlement discussions and available to provide testimony to the Commission if necessary. Without NEPM's input this process will be lacking in the critical perspective of a wholesale supplier. *See* Liberty's August 20, 2014 objection to Petition for Intervention of Freedom Energy Logistics, LLC ("FEL"), at paragraph 5, where it argues that because FEL's business involves assisting its customers in making purchases of electricity and related products from the ISO-NE Real-Time market that its rights are not affected by the proceeding. The same certainly can not be said about NEPM, which is a wholesale supplier of electricity products the rights of which could be directly affected by the outcome of this proceeding. NEPM believes it must intervene in this proceeding to protect these rights. Granting this petition for intervention would be in the interest of justice.

6. The statute cited by the Commission in the Order of Notice, RSA 374-F:3, includes a number of statements about procuring transition and default service through competitive means and through the competitive market and making sure that it is administered in a manner that minimizes customer risk and does not unduly harm the development of competitive markets. NEPM submits that it is important to ensure that these principles are followed when this proposal is evaluated. NEPM's unique perspective as a wholesale supplier provided to the Commission through its intervention in this docket will assist the Commission in ensuring that these electric restructuring principles are followed.

7. NEPM's intervention will not impair the orderly conduct of this proceeding; it understands that it must take the schedule as it currently exists. NEPM

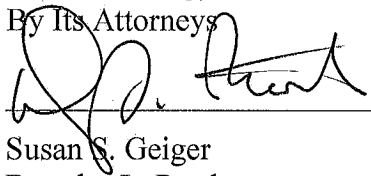
further submits that its participation will assist the Commission by providing a broader range of input and information than currently exists through the parties to this docket.

WHEREFORE, NEPM respectfully requests that the Commission grant it full intervenor status in the proceeding or grant such other relief as the Commission deems just and equitable.

Respectfully submitted,

NextEra Energy Power Marketing, LLC

By Its Attorneys



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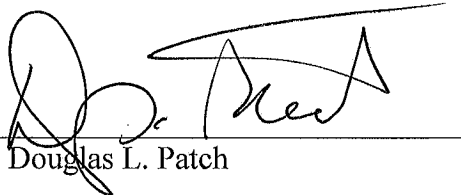
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Dated: August 29, 2014

Certificate of Service

I hereby certify that a copy of the foregoing Petition has on this 29th day of August, 2014 been sent by email to the service list in DE 14-211.

By:



Douglas L. Patch