


STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: September 15, 2014

AT (OFFICE): NHPUC

NHPUC 15SEP14PM1:50

FROM:  David Goyette, Utility Analyst III

SUBJECT: DM 14-219 Hospital Energy Services, LLC
Registration to Provide Natural Gas Aggregation Service

TO: Commission
Debra Howland, Executive Director

Staff recommends that Hospital Energy Service, LLC's application for registration as a natural gas aggregator be processed as a new application rather than a reinstatement, with the application fee waived in view of the circumstances of the filing.

On August 29, 2014, Hospital Energy Service, LLC (Hospital Energy) filed an application to reinstate its registration as a provider of natural gas aggregation service. In its filing, Hospital Energy requested that the Commission waive any application fees. Hospital Energy stated that, because the Commission has approved exemptions of the fee, it is requesting that its registration be reinstated.

Hospital Energy was previously registered as a natural gas aggregator under Docket No. DM 14-171. On July 11, 2014, Hospital Energy filed a request to withdraw its registration, effective as of June 30, 2014. Hospital Energy's withdrawal request was filed shortly after the Commission sent letters to all suppliers and aggregators providing notice of the assessment.¹ On July 14, 2014, the Commission issued a secretarial letter in which it construed Hospital Energy's July 11, 2014 filing as a request for waivers of Puc 3003.04 (f) and (h), gave its approval for those waiver requests, and deemed Hospital Energy's registration to be withdrawn and terminated as of June 30, 2014.

Staff recommends that the Commission process Hospital Energy's August 25, 2014 submission as an initial application and not as a reinstatement of its previously active registration, as Hospital Energy has requested. Staff believes that, because Hospital Energy's registration held under DM 14-171 was deemed by the Commission to have been withdrawn and terminated as of June 30, 2014, Hospital Energy has not been authorized to offer or provide natural gas aggregation service in New Hampshire from and after that date. If Hospital Energy's request were considered a reinstatement, this would imply that the term of the previously active registration has been continuous and uninterrupted, which is not the case.

¹ Senate Bill 324, which became effective July 1, 2014, amended N.H.RSA 363-A by adding a requirement for electric load and natural gas aggregators to pay an annual assessment of \$2,000 to the Commission.

Staff does recommend, however, that the Commission grant Hospital Energy's request to waive the fee associated with its application. Staff believes that the potential imposition of the \$2,000 assessment amount, without knowledge of the potential to claim an exemption, provided a reasonable basis for Hospital Energy to seek withdrawal of its registration. Hospital Energy's request to withdraw its registration was approved on July 14, 2014. However, it was not until mid-August that the Commission sent an exemption form to electric load and natural gas aggregators, which, when completed and filed by a qualified aggregator, would exempt that aggregator from the assessment. Had Hospital Energy been aware of the available exemption at the time it requested withdrawal, it would not have made the request to withdraw.

Staff has reviewed Hospital Energy's application and has determined that it is complete. Staff therefore recommends that the Commission grant the request for a waiver of the fee associated with the application, and approve Hospital Energy's application to register as a provider of natural gas aggregation service, effective on the date of the Commission's approval letter, for a term of two years.

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

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FILING INSTRUCTIONS:

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:**

DEBRA A HOWLAND
EXECUTIVE DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429

- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.**
- c) Serve a written copy on each person on the service list not able to receive electronic mail.**