

STATE OF NEW HAMPSHIRE

Inter-Department Communication

David

DATE: October 5, 2015
AT (OFFICE): NHPUC

FROM: David Goyette, Utility Analyst III *TLF*

SUBJECT: DM 15-315, Town Square Energy, LLC
Renewal of Registration as Competitive Electric Power Supplier

TO: Commissioners
Debra Howland, Executive Director

Executive Summary

Town Square Energy has applied to renew its registration as a competitive electric power supplier. Town Square's current registration expires on October 9, 2015. Town Square submitted a sample residential customer contract, certificates demonstrating it completed EDI testing with Eversource Energy and Unitil Energy Systems, a one-year surety bond in the amount of \$100,000, and a request for a waiver of the five-year and 90-day term requirement for financial security. If the Commission were to grant the requested rule waiver, Staff believes the filing is acceptable. Staff recommends the Commission grant the waiver and approve the application, for service only in the franchise areas of Eversource and UES, for a renewal registration period ending on the termination date of the surety bond.

Background and Analysis

On August 20, 2015, Town Square Energy, LLC (Town Square) filed an application to renew its registration as a competitive electric power supplier (CEPS). Town Square's currently active registration, which the Commission approved in Docket No. DM 14-284, expires on October 9, 2015. Town Square's application included a certificate demonstrating that Town Square had completed EDI testing with Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource) and a request for a waiver of Puc 2003.03(a)(5), which requires the financial security filed with a CEPS renewal application have a term of 5 years and 90 days. On August 25, 2015, Town Square filed a request for a waiver of Puc 2003.02(a), which requires that a CEPS renewal application be filed no less than 60 days prior to the termination of the currently effective registration. On October 1, 2015, Town Square filed a surety bond in the amount of \$100,000, with a one-year term that expires on October 9, 2016, and names the Commission as beneficiary. On October 1, 2015, Town Square also filed a residential and small commercial customer contract and a certificate demonstrating it had completed EDI testing with Unitil Energy Services (UES).

Staff has reviewed the information in the application, and, if the Commission were to grant approval of the waiver request of the financial surety term requirement, believes it meets the requirements of Puc 2003 and 2006.01. Staff recommends that the Commission grant the request for a waiver of Puc 2003.03(a)(5) and, because the surety bond does not meet the 5-year and 90-day requirement and because it expires on October 9, 2016, that the Commission approve a renewal registration period with a term concurrent with the surety bond, beginning on the expiration date of the currently active registration, October 9, 2015, and ending on October 9, 2016. Staff also recommends that, if the Commission grants the requested waiver, the Commission notify Town Square that the financial security rules are likely to change during 2016 and that Town Square should monitor the rulemaking process in Docket No. DRM 13-151 and plan accordingly with respect to future operations in New Hampshire.

Staff noted that that, pursuant to Puc 2003.02(a), Town Square's renewal application should have been filed at least 60 days prior to the expiration of the currently effective registration, on or before August 10, 2015. In its August 25, 2015 filing, Town Square stated that the application and documents were filed prior to the August 10 deadline but acknowledged that, because the filing fee was received after August 10 and was not included with the renewal package, the application was not complete. Town Square, therefore, requested a waiver of Puc 2003.02(a) to permit acceptance of the late filing. Staff recommends that the Commission approve the request for a waiver of Puc 2003.02(a), that it approve Town Square's application to renew its registration as a CEPS, and that it permit Town Square to operate only in the service areas of PSNH and UES.

If Town Square seeks to operate in the service areas of other distribution utilities, it can do so by filing a request with the Commission to extend its service area, and by providing proof that it has completed EDI testing with each distribution utility in whose franchise area it requests authority to operate. Staff will then review the request and make a recommendation to the Commission.

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.

Executive.Director@puc.nh.gov
amanda.noonan@puc.nh.gov
bbryce@townsquareenergy.com
david.goyette@puc.nh.gov
david.wiesner@puc.nh.gov
leszek.stachow@puc.nh.gov
margaret.raymond@puc.nh.gov
ocalitigation@oca.nh.gov
tom.frantz@puc.nh.gov

Docket #: 15-315-1 Printed: October 06, 2015

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.**