

STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: December 22, 2015

AT (OFFICE): NHPUC

D. Goyette

FROM: David Goyette, Utility Analyst III

ef #NHPUC 22DEC15PM2:13

SUBJECT: DM 15-480, Agera Energy LLC
Renewal of Registration as Competitive Electric Power Supplier

TO: Commissioners
Debra Howland, Executive Director

Executive Summary

Agera Energy has applied to renew its registration as a competitive electric power supplier. Agera Energy's current registration expires on January 8, 2016. Agera Energy submitted certificates demonstrating it completed EDI testing with Eversource Energy, Liberty Utilities, NHEC, and UES, sample residential and small commercial customer contracts, 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 a renewal registration for a period ending on the termination date of the surety bond.

Background and Analysis

On November 9, 2015, Agera Energy LLC (Agera Energy) filed an application to renew its registration as a competitive electric power supplier (CEPS). Agera Energy's currently active registration, which the Commission approved in Docket No. DM 14-298, expires on January 8, 2016. Agera Energy's application included residential and small commercial customer contracts, a surety bond in the amount of \$100,000, with an effective date of November 1, 2015, a one-year term that expires November 1, 2016, and names the Commission as beneficiary, 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 December 22, 2016, Agera Energy filed a surety bond rider that extends the expiration date of the bond to January 8, 2017 and documentation that demonstrates it has completed electronic data interchange (EDI) testing with Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty Utilities (Liberty), New Hampshire Electric Cooperative, Inc. (NHEC), Public Service Company of New Hampshire, d/b/a Eversource Energy (Eversource), and Unitil Energy Services, Inc. (UES).

Staff has reviewed the information in the application, and, if the Commission were to grant approval of the waiver request of the financial security 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 January 8, 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, January 8, 2016, and ending at the end of business on January 7, 2017. Staff also recommends that, if the Commission grants the requested waiver, the Commission notify Agera Energy that the financial security rules are likely to change during 2016 and that Agera Energy should monitor the rulemaking process in Docket No. DRM 13-151 and plan accordingly with respect to future operations in New Hampshire.

Agera Energy filed documentation that demonstrates it has completed EDI testing with Eversource, Liberty, NHEC, and UES. Staff, therefore, recommends that the Commission approve Agera Energy's application to register as a CEPS, and that it permit Agera Energy to serve residential, commercial, and industrial customers in the service areas of Eversource, Liberty, NHEC, and UES.

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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Docket #: 15-480-1 Printed: December 22, 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.**