

THE STATE OF NEW HAMPSHIRE

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December 28, 2015

Michael Nordlicht, General Counsel
Agera Energy
555 Pleasantville Rd, S-107
Briarcliff Manor, NY 10510

Re: DM 15-480, Agera Energy, LLC
Application to Renew Registration as Competitive Electric Power Supplier

Dear Mr. Nordlicht:

On November 9, 2015, Agera Energy, LLC (Agera Energy) submitted an application to the Commission to renew its registration as a competitive electric power supplier (CEPS). The 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).

Commission Staff filed a memorandum on December 22, 2015, and noted that, if a waiver of the financial surety term requirement is granted, the application complies with the requirements of Puc 2003 and 2006.01. Staff recommended that the Commission grant the request for the waiver of the financial security term requirement, and approve the registration for a term that begins January 8, 2016 and ends concurrently with the expiration date of the surety bond, on January 8, 2017. In addition, Staff recommended that the Commission authorize Agera Energy to operate in the franchise areas of Eversource, Liberty, NHEC, and UES. Finally, Staff recommended that Agera Energy be informed that the financial security rules are likely to change during 2016 and that it should monitor the rulemaking process in Docket No. DRM 13-151 and plan accordingly.

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The Commission has reviewed Agera Energy's renewal application and Staff's recommendation, and has granted the requested rule waiver, having found the waiver is for good cause and in the public interest, and has approved the application as recommended. Accordingly, Agera Energy's application to renew its registration as a CEPS, authorized to operate in the franchise areas of Eversource, Liberty, NHEC, and UES, is granted for a term beginning on January 8, 2016 and ending on January 8, 2017. Pursuant to N.H. Code Admin. Rules Puc 2003.02(a), Agera Energy must submit its next renewal application at least 60 days prior to the expiration of the approved registration period, on or before November 9, 2016.

Please be aware that registered CEPSs are subject to specific requirements contained in Puc 2000 – Competitive Electric Power Supplier and Aggregator Rules. These rules are available at: <http://www.puc.nh.gov/Regulatory/Rules/PUC2000.pdf>.

In addition, CEPS must comply with the renewable portfolio standard (RPS) requirements of RSA 362-F. The RPS obligation applies to every "provider of electricity," as defined in RSA 362-F:2, XIV, which includes registered CEPS. Please also refer to the Puc 2500 rules for further details regarding RPS compliance and reporting requirements. RPS compliance is on a calendar year basis and must be reported to the Commission by July 1 of the subsequent calendar year. Pursuant to RSA 378:49, all CEPS also must comply with the requirement to disclose environmental characteristics of the electricity they sell to retail customers. Commission Order No. 25,264, in Docket No. DE 10-226, provides guidance as to the appropriate format for such disclosure. Order No. 25,264 can be viewed at: <http://puc.nh.gov/Regulatory/Orders/2011orders/25264e.pdf>.

Finally, as noted above, the financial security rules set forth in Puc 2003.05(a)(5) are likely to change. Please monitor the Commission's website for notice of this rulemaking process in Docket No. DRM 13-151 and plan accordingly.

Sincerely,



Debra A. Howland
Executive Director

cc: Service List
Docket File

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
EXEC 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.