

STATE OF NEW HAMPSHIRE

Inter-Department Communication

NHPUC 24FEB'16PM12:51

DATE: February 24, 2016

AT (OFFICE): NHPUC

David
FROM: David Goyette, Utility Analyst III

SUBJECT: DM 16-221, First Point Power, LLC
Renewal of Registration as Competitive Electric Power Supplier

TO: Commissioners
Debra Howland, Executive Director

Executive Summary

First Point Power has applied to renew its registration as a competitive electric power supplier. First Point Power's current registration expires on June 4, 2016. First Point Power submitted a sample residential and small commercial customer contract, certificates demonstrating it completed EDI testing with Eversource, Liberty, and UES, a continuation certificate extending, by one year, the term of its surety bond in the amount of \$350,000, 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 in the franchise areas of Eversource, Liberty, and UES, for a renewal registration period ending on the termination date of the surety bond as extended.

Background and Analysis

On February 2, 2016, First Point Power, LLC (First Point Power) filed an application to renew its registration as a competitive electric power supplier (CEPS). First Point Power's currently active registration, which the Commission approved in Docket No. DM 15-093, expires on June 4, 2016. First Point Power's application included a sample of a residential and small commercial customer contract and certificates demonstrating that it has completed EDI testing with Eversource Energy (Eversource), Liberty Utilities (Liberty), and Unitil Energy Systems (UES). Also on February 2, 2016, under a separate filing, First Point Power submitted a continuation certificate to its currently effective surety bond, which extends the term and expiration date of the surety bond to June 4, 2017, and a request for a waiver of Puc 2003.03(a)(5)(b), which requires that the financial security filed with a CEPS renewal application have a term of not less than five years and 90 days. The continued surety bond is in the amount of \$350,000 and names the Commission as beneficiary.

On February 19, 2016, First Point Power filed a revised residential and small commercial customer contract.

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 five-year and 90-day requirement and because it expires on June 4, 2017, 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, June 4, 2016, and ending at the close of business on June 4, 2017. Staff also recommends that, if the Commission grants the requested waiver, the Commission notify First Point Power that the financial security rules are likely to change during 2016 and that First Point Power should monitor the rulemaking process in Docket No. DRM 13-151 and plan accordingly with respect to future operations in New Hampshire.

First Point Power filed documentation that demonstrates it has completed EDI testing with Eversource, Liberty, and UES. Staff therefore recommends that the Commission approve First Point Power's application to register as a CEPS, and that it permit First Point Power to serve residential and small commercial customers and operate only in the service areas of Eversource, Liberty, and UES. If First Point Power 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
chris@firstpointpower.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

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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.