

Notice Number 2016-233

Rule Number Puc 2000

Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301

2. RSA Authority: RSA 374-F:7, V;
RSA 365:8, XII

3. Federal Authority:

4. Type of Action:

Adoption

Amendment

Repeal

Readoption

Readoption w/amendment X

5. Short Title: Puc 2000 – Competitive Electric Power Supplier and Aggregator Rules

6. (a) Summary of what the rule says and of any proposed amendments:

The Commission intends to readopt with amendments its Puc 2000 rules. Puc 2000 sets forth the rules applicable to the registration of competitive electric power suppliers (CEPS) and electric load aggregators, reporting and financial obligations of CEPS and aggregators, requirements applicable to the terms of service and price disclosure of CEPS and aggregators, other consumer protection provisions applicable to CEPS and aggregators, investigation of complaints involving CEPS and aggregators, and enforcement of laws and rules applicable to CEPS and aggregators.

Amendments to the existing rules are extensive and include changes based on recent legislation addressing CEPS variable rate contracts, maintenance of a customer shopping comparison website, individual customer information privacy protection, and enhanced sanctions and enforcement authority. Other material amendments address registration application requirements, financial security provisions, registration time periods, customer disclosure and notice obligations, customer solicitation restrictions, enforcement procedures, sanctions and penalties, and the specific role of aggregators which are granted agency authority by their customers to select a CEPS on their behalf. The proposed amendments of, and additions, to the rules are so extensive that the Initial Proposal as filed shows all of the existing rules as deleted, followed by the full text of the proposed amended rules.

6. (b) Brief description of the groups affected:

These rules affect persons or entities applying for authority to conduct business as a CEPS or aggregator in the state's retail electricity market, as well persons or entities registered to conduct business as CEPS and aggregators. The rules also encompass certain rights and remedies of the customers of CEPS and aggregators.

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6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule(s)	State Statute (RSA)
Puc 2001	RSA 374-F:7, I and V
Puc 2002	RSA 374-F:7, I and V
Puc 2003	RSA 374-F:7, I and V
Puc 2004.01-2004.02	RSA 374-F:7, I and V
Puc 2004.03	RSA 374-F:4-b and 7, I and V
Puc 2004.04-2004.18	RSA 374-F:7, I and V
Puc 2004.19	RSA 363:37-38; RSA 374-F:7, I and V
Puc 2004.20	RSA 374-F:7, I and V
Puc 2005	RSA 374-F:7, III and V; RSA 541-A:30, II
Puc 2006	RSA 374-F:7, I and V

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

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8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **January 27, 2017**

☒ Fax

☒ E-mail

☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **January 19, 2017 at 1:30 p.m.**

Place: **N.H. Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301**

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10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 16:250 , dated December 6, 2016

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

When compared to the existing rules, the proposed rules will have an indeterminable impact on costs to independently owned businesses and will decrease state restricted revenue by an indeterminable amount.

2. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

The proposed rules make changes to the existing rules that may increase costs to independently owned businesses that include establishing record retention standards, requirements relative to disclosures, procedures for transferring customer accounts between suppliers, requirements for inputting information into a shopping comparison website, and requirements relative to required financial security instruments.

The proposed rules decreases the initial application fee cost for competitive electric power suppliers (CEPS) from \$500 to \$250, the renewal period for CEPS from five to either one, two, or three years, and the renewal period for aggregators from five years to two years. CEPS are not required to pay a renewal registration fee, but are subject to a \$10,000 annual assessment under RSA 363-A:2, III. Electric load aggregators are required to pay a renewal registration fee if they were not required to pay the statutory \$2,000 assessment for the preceding fiscal year. There are currently 33 registered CEPS and 113 registered electric load aggregators in New Hampshire. The Public Utilities Commission estimates the proposed rules will result in CEPS and electric load aggregators paying less in fees but it is unable to determine the extent of the decrease.

A. To State general or State special funds:

See 3 above.

B. To State citizens and political subdivisions:

None.

C. To independently owned businesses:

See 3 above.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

The proposed rules do not mandate or assign any new, expanded, or modified programs or responsibilities to any political subdivision of the State of New Hampshire, and therefore do not violate Part I, Article 28-a of the N.H. Constitution by necessitating additional local expenditures by a political subdivision.