

VIA FEDERAL EXPRESS

November 27, 2017

MHPUC 28NOV17PM2:12

Ms. Debra A. Howland
Executive Director
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301

Re: ¹⁷⁻⁰²⁴ DM 17-042, Constellation NewEnergy, Inc. ("CNE")
Request for Waivers of Rules

Dear Secretary Howland:

Pursuant to N.H. PUC Rule PUC 201.05(c), Constellation NewEnergy, Inc. ("CNE") respectfully requests waivers for the requirements of the following rules:

1. Puc 2004.06 Billing

(a)(2) provides that any CEPS bill not issued by the utility shall include the following information: The starting meter reading and the ending meter reading for the billing period.

Reason for Waiver Request: CNE has confirmed with the utilities that the start and ending meter read dates are not sent in EDI transactions. Rather, the total consumption for the read is sent. Compliance with this provision would be onerous and nearly impossible for CNE to accomplish, given that the utilities, who complete the meter reads, do not provide this information to CNE through the EDI transactions. Customers will still get the total consumption for the meter read period.

2. Puc 2004.06 Billing

(a)(7) provides that any CEPS bill not issued by the utility shall include the following information: The average price expressed per kWh billed by the CEPS to the customer during the billing period.

Reason for Waiver Request: CNE currently averages each line item on the bill rather than the entire bill total divided by the total consumption. While CNE can have this functionality built out, we respectfully request a waiver of this rule until at least 3/1/18.

3. Puc 2004.05 Environmental Disclosure

(a) provides that: No less frequently than once each year, a CEPS shall provide each of its customers with an environmental disclosure label identifying the sources of its electric energy service and the environmental characteristics of such sources *using the customer's preferred form of communication*. (Emphasis added).

Reason for Waiver Request: Since the new requirements of 2004.02 do not apply to any contract for service entered into prior to the effective date of the rules (Nov. 1, 2017), during the original term of such contract, CNE does not have confirmation of existing customers' preferred form of communication. As such, CNE respectfully requests that it continue to provide such existing customers with the environmental disclosure label as it as previously done. CNE will not be enrolling or renewing residential or small commercial customers going forward so it would be onerous to require CNE to obtain customers' preferred method of communication as contemplated under 2004.02(e).

For the reasons set forth above, Constellation NewEnergy, Inc. respectfully requests waivers for the requirements found in Puc 2004.06 (a)(2) and (7) as well as Puc 2004.05 (a).

If you have any questions or require additional information related to this request for waivers, contact me at (412) 913-8407 or by email at Kartychakc@conedsolutions.com.

Sincerely,



Colleen P. Kartychak
Regulatory Compliance Analyst

Electronic Copy sent to executive.director@puc.nh.gov and David.Goyette@puc.nh.gov