

THE STATE OF NEW HAMPSHIRE



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September 27, 2017

Dan Kern, CEO  
SmartEnergy Holdings, LLC  
575 Lexington Ave.  
New York, NY 10022

Re: DM 17-129, SmartEnergy Holdings, LLC  
Application to Renew Registration as Competitive Electric Power Supplier

Dear Mr. Kern:

On August 21, 2017, SmartEnergy Holdings, LLC (SmartEnergy) filed an application to renew its registration as a competitive electric power supplier (CEPS). In connection with its application, SmartEnergy requested a waiver of the filing deadline requirement of Puc 2003.02(a) and a waiver of Puc 2003.03(a)(5), which requires that the financial security filed with a renewal application have a term of five years and 90 days.

Commission Staff filed a memorandum on September 25, 2017, that summarizes the filing made by SmartEnergy in connection with its renewal application and Staff's analysis of the completed application and rule waiver requests. Staff noted that, if waivers of the filing deadline requirement and financial security term requirement are granted, the application complies with the requirements of Puc 2003 and Puc 2006.01. Staff recommended that the Commission grant the requests for waivers and approve the renewal registration for a term concurrent with the surety bond, as extended, beginning on the expiration date of the currently active registration, October 18, 2017, and ending at the close of business on October 17, 2018. In addition, Staff recommended that the Commission authorize SmartEnergy to operate in the franchise areas of Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource) and Unitil Energy Systems, Inc. (Unitil). Finally, Staff recommended that SmartEnergy be informed that revised rules applicable to CEPS, adopted on August 25, 2017 and effective on November 1, 2017, contain financial security and other requirements that are different from those in the currently effective rules, and that it should plan accordingly.

The Commission has reviewed SmartEnergy's renewal application and Staff's recommendations and has granted the requested rule waivers and approved the application as recommended. Accordingly, SmartEnergy's application to renew its

registration as a CEPS, authorized to operate in the franchise areas of Eversource and Unitil, is granted for a term beginning on October 18, 2017 and ending at the close of business on October 17, 2018. Pursuant to Puc 2003.02(a), SmartEnergy must submit its next renewal application at least 60 days prior to the expiration of the approved registration period, on or before August 19, 2018.

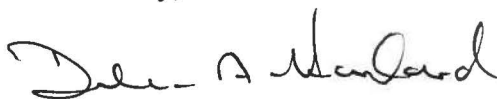
Please be aware that registered CEPS are subject to specific requirements contained in Puc 2000 – Competitive Electric Power Supplier and Aggregator Rules. These rules are available at: <http://www.puc.nh.gov/Regulatory/Rules/PUC2000.pdf>. Revised rules applicable to CEPS, which will become effective on November 1, 2017, are available at: [Puc 2000 Rules Amendments Effective 11-1-17](#).

Please also note that each CEPS must input into a shopping comparison website, maintained by the Commission, information regarding its standard pricing policies, charges, and key terms for residential and small commercial customers. This information must be updated whenever it changes, but no less frequently than once per month. These requirements are intended to comply with [RSA 374-F:4-b, II](#). Following its initial registration, each CEPS will be sent by electronic mail a link to the website through which it must input the required information.

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 2003.03(a) will change when the amended Puc 2000 rules become effective on November 1, 2017. Please review the requirements of the amended rules and plan accordingly.

Sincerely,



Debra A. Howland  
Executive Director

cc: Service List  
Docket File