

# STATE OF NEW HAMPSHIRE

Inter-Department Communication

NHPUC 13SEP17PM3:35

DATE: September 13, 2017

AT (OFFICE): NHPUC

*David*  
FROM: David Goyette, Utility Analyst III

SUBJECT: DM 17-130, Mint Energy, LLC  
Renewal of Registration as Competitive Electric Power Supplier

TO: Commissioners  
Debra Howland, Executive Director

## Executive Summary

Mint Energy has applied to renew its registration as a competitive electric power supplier. Mint Energy's current registration expires on October 31, 2017. Mint Energy submitted a sample residential and small commercial customer contract, a certificate demonstrating it completed EDI testing with Eversource, an amendment to its letter of credit that extends the term by one year and increases the amount to \$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 waiver, Staff believes the filing is acceptable. Staff recommends that the Commission grant the waiver and approve the application, for service only in the franchise area of Eversource, for a renewal registration period ending on the termination date of the amended letter of credit.

## Background and Analysis

On August 23, 2017, Mint Energy, LLC (Mint Energy) filed an application to renew its registration as a competitive electric power supplier (CEPS). Mint Energy's currently active registration, which the Commission approved in Docket DM 15-070, expires on October 31, 2017. Mint Energy's application included a certificate demonstrating that it has completed electronic data interchange (EDI) testing with Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource), and evidence that it is able to obtain supply in the New England energy market. Prior to filing its renewal application, on August 17, 2017, Mint Energy filed an amendment to its letter of credit (LOC) that extends the term by one year, to October 31, 2018, and increases the amount, to \$350,000, of its currently effective LOC which names the Commission as beneficiary. On September 1, 2017, Mint Energy filed a request for a waiver of Puc 2003.03(a)(5), which requires that the financial security filed with a CEPS renewal application have a term of five years and 90 days. On September 5, 2017, Mint Energy filed revised regulatory contact information and, on September 12, 2017, Mint Energy filed residential and small commercial contracts and a sample bill.

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 and, because the LOC, as amended, does not meet the five-year and 90-day term requirement and because it expires on October 31, 2018, that the Commission approve a registration period concurrent with the term of the LOC, beginning on the expiration date of the currently active registration, October 31, 2017, and ending at the close of business on October 30, 2018. Staff also recommends that the Commission notify Mint Energy that revised rules for CEPS, adopted on August 25, 2017 and effective on November 1, 2017, contain financial security and other requirements different from those in the currently effective rules and that Mint Energy should plan accordingly with respect to future operations in New Hampshire.

Mint Energy filed documentation that demonstrates it has completed EDI testing with Eversource. Staff therefore recommends that the Commission approve Mint Energy's application to renew its registration as a CEPS, and permit Mint Energy to serve residential and small commercial customers and to operate only in the service area of Eversource. If Mint Energy seeks to operate in the service areas of other distribution utilities, it can do so by providing proof that it has completed EDI testing with each distribution utility in whose franchise area it requests to operate. Staff will then review the request and make a recommendation to the Commission.

**SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED**

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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  
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  
tom.moore@mintenergy.net

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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  
EXECUTIVE 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.