



Budderfly Inc  
2 Trap Falls Road  
Suite 507  
Shelton, CT 06484

Via Electronic Mail and Certified U.S. Mail

April 8, 2020

Hon. Debra A. Howland  
Executive Director  
N.H. Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, NH 03301

Re: Notice of Intent to Act as a Buyers' Aggregator

Dear Executive Director Howland

Pursuant to Puc 2003.05(a) of the New Hampshire Code of Administrative Rules, Budderfly, Inc. files this notice of its intent to act as a Buyers' Aggregator.

Budderfly, Inc. ("Budderfly" or the "Company"), is a Delaware corporation, with an address of 2 Trap Falls Rd., Suite 500, Shelton, Connecticut 06484. As explained below, Budderfly has a unique business model that, based upon our review of relevant New Hampshire law(s) and regulations, we believe qualifies Budderfly as a Buyers' Aggregator under Puc 2002.06 largely because Budderfly receives no compensation or remuneration from an electricity supplier.

Budderfly intends to provide energy management services to commercial establishments (not residential customers) at various locations across New Hampshire. The Company has developed an "Energy Management Outsourcing" model that includes, inter alia, becoming the customer of record with the local utility for each commercial establishment, and deploying energy efficiency equipment, upgrades and technology, a proprietary energy management hardware and software system, along with providing billing and other managed services to manage energy usage and reduce energy expense. As such, Budderfly is the utility customer and all of the above-noted energy efficiency measures are installed and operated behind the utility meter. Budderfly does not make use of the local utility's transmission or distribution system. Budderfly separately invoices the commercial establishments on a calendar month basis under contract terms that economically result in the Company and those establishments splitting the savings that result from the energy efficiency measures it has implemented. In addition to energy usage reductions, Budderfly intends to aggregate and place eligible accounts with a chosen supplier in order to help achieve even further energy cost reductions. In such instances, Budderfly would be the account holder and customer of record with both the supplier and the local utility and **Budderfly receives no compensation or remuneration from an electricity supplier.**

Budderfly understands that pursuant to Puc 2003.05 Registration of Aggregators.

- (a) Any person or entity that acts solely as a buyer's aggregator, such as a municipality acting on behalf of its citizens, shall **notify the commission of its intent to do business**.
- (b) With the exception of (a) above, **a buyer's aggregator shall not otherwise be subject to the provisions of this chapter**.

Moreover, Budderfly understands that there is no standard form required for such notice inasmuch as the Commission's Electric Load Aggregator Registration Instructions<sup>1</sup> provides:

Below is a link to an application form for registration as an Electric Load Aggregator. This form is provided as a convenience for filing only. **Use of this specific form is not a requirement** for preparing an application.

We thought it might be helpful if we completed the form of registration for informational purposes as part of this notice that we intend to act as a Buyer's Aggregator. Therefore, a completed form is attached to this letter for informational purposes only.

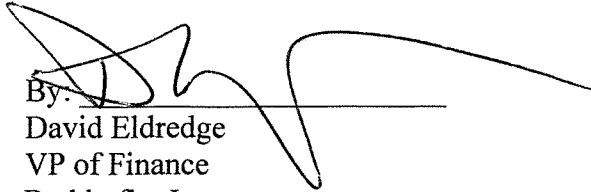
We would be happy to answer any questions that you may have concerning this notice or Budderfly's operations in New Hampshire.

Please acknowledge receipt of this submission.

I certify that on this day I have caused an original and two paper copies to be mailed to the Executive Director at the above address and an electronic version of this document has been e-mailed to: [Executive.Director@puc.nh.gov](mailto:Executive.Director@puc.nh.gov)

Thank you.

Respectfully submitted,

  
By: \_\_\_\_\_  
David Eldredge  
VP of Finance  
Budderfly, Inc.  
2 Trap Falls Rd. Suite 310  
Shelton, CT 06484

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<sup>1</sup> <https://www.puc.nh.gov/Electric/Becoming%20Suppliers%20and%20Aggregators.html>

Applicants General Information

Name Seth Alvord / Balance Point Capital  
Title Director  
Business Mailing Address 285 Riverside Ave, Westport, CT 06880  
Telephone Number 203-652-8250  
Email Address [salvord@balancepointcapital.com](mailto:salvord@balancepointcapital.com)

Name Jerry Kokos  
Title Director  
Business Mailing Address 2 Trap Falls Rd., Suite 310, Shelton, CT 06484  
Telephone Number 617-251-4019  
Email Address [geraldkokos@gmail.com](mailto:geraldkokos@gmail.com)



## Electric Load Aggregation Application Form

This form may be used to: (1) apply for initial registration as an electric load aggregator in New Hampshire, (2) apply for renewal of registration as an electric load aggregator in New Hampshire, and (3) notify the Commission of any changes to information in a previously-filed electric aggregator application form. *This form is provided as a convenience for filing only; you are required to provide all information specified under Puc 2006.02 when applying for initial or renewal registration as an electric aggregator, but you are not required to use this form when doing so.*

Indicate whether this application is for an initial registration or for a renewal. Initial <input checked="" type="checkbox"/> Renewal <input type="checkbox"/>		
<b>Applicant's General Information</b>		
Puc 2006.02(a)	Legal Name	Budderfly, Inc.
	Trade Name (d/b/a) (if applicable)	
Puc 2006.02(b)	Business Mailing Address	2 Trap Falls Rd.; Suite 310 Shelton, CT 06484
	Telephone Number	203-538-9069
	E-Mail Address	David.Eldredge@Budderfly.com
	Website Address (if applicable)	www.Budderfly.com
Puc 2006.02(c)	Provide the name(s), title(s), business address(es), telephone number(s), and e-mail address(es) of the applicant, if an individual, or of the applicant's principal(s), <sup>1</sup> if the applicant is anything other than an individual. Use additional sheets if your response exceeds the space provided on the form.	
	Name	Al Subbloie
	Title	President, CEO, Director
	Business Mailing Address	2 TRAP FALLS RD.; SUITE 310 SHELTON, CT 06484
	Telephone Number	203-982-8428
	E-Mail Address	Al.Subbloie@Budderfly.com
	Name	Tom Flynn
	Title	VP AND GENERAL COUNSEL
	Business Mailing Address	2 TRAP FALLS RD, SUITE 310 SHELTON, CT 06484
	Telephone Number	203-903-6627
	Email Address	Tom.Flynn@Budderfly.com
	Name	Gary Golding / Edison Partners
	Title	Director
	Business Mailing Address	281 Witherspoon Princeton, NJ 08540
	Telephone Number	609-896-1900
	E-Mail Address	ggolding@edisonpartners.com

<sup>1</sup> "Principals" means, for a corporation, any of its officers, directors, or controlling shareholders, for a limited liability company, any of its managers or controlling members, for a partnership, any of its general partners, and for any other business entity, any of its personnel exercising executive functions and any of its controlling equity owners.



Customer Service Contact		
Puc 2006.02(d)	Name	Kyle Bernier
	Title	Customer Service Manager
	Telephone Number	203-538-9069
	Toll-Free Telephone Number (if available)	855-299-1334
	E-Mail Address	Kyle.Bernier@Budderfly.com

Customer Complaints Contact		
Puc 2006.02(e)(1)	Name	Kyle Bernier
	Title	Customer Service Manager
	Business Mailing Address	2 Trap Falls Rd.; Suite 310 Shelton, CT 06484
	Telephone Number	203-538-9069
	E-Mail Address	Kyle.Bernier@Budderfly.com

Regulatory Compliance Matters Contact		
Puc 2006.02(e)(2)	Name	Tom Flynn
	Title	VP and General Counsel
	Business Mailing Address	2 Trap Falls Rd, Suite 310 Shelton, CT 06484
	Telephone Number	203-903-6627
	E-Mail Address	Tom.Flynn@Budderfly.com

Commission Assessment Payments Contact		
Puc 2006.02(e)(3)	Name	Tom Flynn
	Title	VP and General Counsel
	Business Mailing Address	2 TRAP FALLS RD, SUITE 310 SHELTON, CT 06484
	Telephone Number	203-903-6627
	E-Mail Address	TOM.FLYNN@BUDDERFLY.COM

Separate Attachments: Business Authority and Trade Name	
Puc 2006.02(f)	Provide, as a separate attachment, evidence of the applicant's authorization to do business in New Hampshire from the New Hampshire secretary of state by submitting either of the following: (1) a recent printout of the applicant's listing on the N.H. Secretary of State website with the status "In Good Standing" or words of similar import; or  (2) a copy of a certificate from the N.H. Secretary of State's office stating that the applicant is authorized to do business in New Hampshire.
Puc 2006.02(g)	Provide, as a separate attachment, evidence of the applicant's registration of the trade name, if any, to be used by the applicant in New Hampshire from the New Hampshire secretary of state by submitting either of the following: (1) a recent printout of the applicant's trade name on the N.H. Secretary of State website with the status "Active" and indicating that the trade name is owned by the applicant; or  (2) a copy of a certificate from the N.H. Secretary of State's office indicating that the applicant has registered as doing business under the trade name.



Statements Regarding Applicant and its Principals		
Please respond to each of the following questions with either "Yes" or "No."		
Puc 2006.02(h)(1)	Has applicant or any of its principals ever been convicted of any felony that has not been annulled by a court?	No
Puc 2006.02(h)(2)	Has applicant or any of its principals, within the 10 years immediately prior to application, had any civil, criminal, or regulatory sanctions or penalties imposed against it, him, or her pursuant to any state or federal consumer protection law or regulation?	NO
Puc 2006.02(h)(3)	Has applicant or any of its principals, within the 10 years immediately prior to application, settled any civil, criminal, or regulatory investigation or complaint involving any state or federal consumer protection law or regulation?	NO
Puc 2006.02(h)(4)	Is applicant or any of its principals currently the subject of any pending civil, criminal, or regulatory investigation or complaint involving any state or federal consumer protection law or regulation?	No
Puc 2006.02(h)(5)	Has applicant or any of its principals been denied authorization to provide competitive electricity supply service or electric aggregation service in any other state or jurisdiction?	No
If an affirmative answer is provided to any item above, then provide a detailed explanation of the occurrence and the related circumstances. Use additional sheets as needed.		

Other States		
Puc 2006.02(i)	Please list other states or jurisdictions in which the applicant currently conducts business relating to the aggregation of electric customers.	MA, RI, CT, NY, PA

Statement Regarding Supplier Representation		
Puc 2006.02(j)	Please respond to the following question with either "Yes" or "No." Is the applicant representing any supplier interest?	YES
If the response to the preceding question is "Yes," please list the supplier(s) represented. Use additional sheets if needed.		
DIRECT ENERGY		

Expected Marketing Start Date		
Puc 2006.02(k)	Provide the date upon which the applicant expects to commence marketing its services to customers in New Hampshire.	5/2020 Date _____

Attestation and Signature		
Puc 2006.02(l) and (m)	<p>BY SIGNING BELOW, THE APPLICANT REPRESENTATIVE CERTIFIES THAT IT HAS THE AUTHORITY TO FILE THE APPLICATION ON BEHALF OF THE AGGREGATOR AND ATTESTS THAT THE CONTENTS OF THE APPLICATION ARE TRUTHFUL, ACCURATE, AND COMPLETE.</p> <p>_____ Signature of the applicant or its authorized representative</p> <p>Name: _____</p> <p>Title: _____</p>	<p>_____ Date</p>

Filing Instructions		
<p>1) Mail an original and two paper copies of this form and all separate attachments to: Executive Director, NHPUC, 21 South Fruit St., Suite 10, Concord, NH 03301</p> <p>2) E-mail a PDF of this form and all separate attachments to: <a href="mailto:Executive.Director@puc.nh.gov">Executive.Director@puc.nh.gov</a></p>		