

**BEFORE THE NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

LIBERTY UTILITIES (GRANITE STATE :
ELECTRIC) CORP. D/B/A LIBERTY :
PROPOSED PURCHASE OF : DOCKET NO. DE-23-003
RECEIVABLES PROGRAM :

**NRG RETAIL COMPANIES’
PETITION TO INTERVENE**

Pursuant to New Hampshire Revised Statutes Annotated (“RSA”) 541-A:32 and New Hampshire Administrative Rules Puc 203.17, Direct Energy Services, LLC; Direct Energy Business, LLC; Direct Energy Business Marketing, LLC; Reliant Energy Northeast LLC; and XOOM Energy New Hampshire, LLC (collectively, “NRG Retail Companies”) hereby petition the New Hampshire Public Utilities Commission (“Commission”) to intervene as parties in the above-captioned proceeding. In support of this petition, the NRG Retail Companies state the following:

INTRODUCTION

1. In 2021, the New Hampshire legislature adopted a law that authorized the purchase of receivables (“POR”) of competitive electricity providers by the electric distribution utilities.¹
2. On January 10, 2023, Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty (“Liberty”) filed testimony and supporting materials outlining a proposal for a POR program.²

¹ RSA 53-E:9(II).

² See Liberty Proposed Purchase of Receivables Program (Jan. 10, 2023).

3. On February 2, 2023, the Commission issued a Commencement of Adjudicative Proceeding and Notice of Prehearing Conference offering interested parties an opportunity to file petitions to intervene in the proceeding.³

4. The NRG Retail Companies now hereby timely petition to intervene in the proceeding.

STANDARD

5. The Commission must grant a petition to intervene if: (a) the petition describes how the petitioner is substantially and specifically affected by a proceeding; and (b) the intervention would be in the interests of justice and would not impair the orderly conduct of the proceeding.⁴

6. The Commission also has the discretion to grant a petition to intervene “upon determining that such intervention would be in the interests of justice and would not impair the orderly conduct of the proceedings.”⁵

INTERVENTION REQUEST

7. Implementation of a POR program will reduce the barriers that competitive energy suppliers face in seeking entry into the competitive market; thereby, increasing the number of market participants and enhancing retail competition. Conversely, a poorly designed and implemented POR program can have a significant adverse impact on the existing and future state of the retail electric market and its customers.

³ Commencement of Adjudicative Proceeding and Notice of Prehearing Conference (Feb. 2, 2023) (“Notice”), at 4.

⁴ RSA 541-A:32(I).

⁵ RSA 541-A:32(II).

8. The NRG Retail Companies are licensed by the Commission to serve residential, commercial and/or industrial electric customers in New Hampshire⁶ and are presently providing service to customers in the State. As such, they have a substantial and specific interest in ensuring that Liberty's POR program does not have an adverse effect on the NRG Retail Companies, their customers or the continued success of retail electric competition in New Hampshire.

9. The NRG Retail Companies' participation in this proceeding would be in the interests of justice and will not impair the orderly conduct of this proceeding. Indeed, the NRG Retail Companies have unique business and technical expertise as well as operational perspectives that no other party to this proceeding can replicate and that will aid the Commission. For example, the NRG Retail Companies' operate in competitive retail electric markets throughout the United States. As a consequence, they have experience operating in markets with POR programs in other states that can assist the Commission in ensuring that the Liberty POR program is designed and implemented in a manner that fosters the continued success of the competitive retail market for electricity in New Hampshire.

10. The NRG Retail Companies have not yet determined the full extent of their participation in this docket and reserve the right to fully participate in this proceeding, including

⁶ See Docket No. DM 20-173, *Direct Energy Business, LLC Renewal Registration as a Competitive Electric Power Supplier*; Docket No. DM 15-373, *Direct Energy Business, LLC Registration as a Competitive Electric Power Supplier*; Docket No. DM 18-105, *Direct Energy Business Marketing, LLC Renewal Registration as a Competitive Electric Power Supplier*; Docket No. DM 13-260, *Hess Energy Marketing, LLC Registration as a Competitive Electric Power Supplier*; Docket No. DM 20-193, *Direct Energy Services, LLC Renewal Registration as a Competitive Electric Supplier*; Docket No. DM 15-513, *Direct Energy Services, LLC Registration as a Competitive Electric Power Supplier*; Docket No. DM 20-168, *Reliant Energy Northeast LLC d/b/a NRG Home Renewal Application for Competitive Electric Power Supplier*; Docket No. DM 15-287, *Reliant Energy Northeast LLC Application for Competitive Electric Power Supplier*; Docket No. DM 18-102, *XOOM Energy New Hampshire, LLC Renewal Registration as a Competitive Electric Power Supplier*; Docket No. DM 13-185, *XOOM Energy New Hampshire, LLC Registration as a Competitive Electric Power Supplier*.

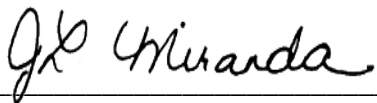
through motion practice, discovery, pre-filed and live testimony, direct and cross-examination, and briefs.

CONCLUSION

For all the foregoing reasons, the Commission should grant the NRG Retail Companies' petition to intervene as parties in this proceeding.

Dated: March 10, 2023

Respectfully submitted,
DIRECT ENERGY SERVICES, LLC;
DIRECT ENERGY BUSINESS, LLC;
DIRECT ENERGY BUSINESS
MARKETING, LLC; RELIANT ENERGY
NORTHEAST LLC; XOOM ENERGY
NEW HAMPSHIRE, LLC

By:  _____

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Its Attorneys

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Petition to Intervene has this day been sent via electronic mail or first class mail to all persons on the service list.

A handwritten signature in black ink that reads "Joey Lee Miranda". The signature is written in a cursive style with a large, stylized initial "JL".

Joey Lee Miranda

Dated: March 10, 2023