

Henry J. Bergeron  
Public Utilities Commission  
21 S. Fruit Street, Suite 10  
Concord, N.H. 03301-2429

Re: DM 08-108 Glacial Energy of New England, Inc.  
Application for Registration as a competitive Electric Power Supplier  
First Deficiency Letter

Dear Mr. Bergeron,

Below were items to be addressed

- 1) PUC 2003.01 (c) (2) requires the “applicant’s business address, principal place of business, telephone number, facsimile number and email address”. It appears that only the applicant’s business address was supplied. Please submit the additional information.

We have not yet set up an office in New Hampshire. Until it is established NH staff will work out of our Massachusetts office, whose information is:

24 Route 6A, Suites 1,2, and 3

Sandwich, MA 02563

Ph: 877-569-2841

Fax: 214-594-0000

Email: [customercare@glacialenergy.com](mailto:customercare@glacialenergy.com)

- 2) PUC 2003.01 (c) (4) requires the “names, titles, business addresses, telephone numbers and facsimile numbers of the applicant’s principle officers”. On the page that lists the “Principal Officers, Directors, and Partners”, there are no facsimile numbers. Also, the zip code shown there is 75090. In (8) of Glacial’s application, for the same address, the zip code is shown as 75091. Please submit the correct zip code and facsimile numbers.

Facsimile numbers are; Gary Mole 214-292-9431, J. Michael Shivers 214-291-5641, Steven Kraemer 410-558-6751.

The correct zip code is 75090.

- 3) PUC 2003.01 (c) (5) requires a “copy of the applicant’s most recent audited financial statement”. The submission of “Comparative Compiled Financial Statements” does not satisfy that requirement. Please submit Glacial’s most recent audited financial statement.

Glacial Energy does not currently have audited financials

- 4) PUC 2003.01 (c) (6) requires certain information “regarding any affiliate and/or subsidiary of the applicant”. There is one attachment which lists the names in which Glacial does business in North America. Are these affiliates? If so, please submit the name and business address as well as a description of the business purpose of each entity.

Yes, they are affiliates. Please see new attachment with requested data

- 5) PUC 2003.01 (c) (9) requires the “name, title, business address, and telephone number of the applicant’s registered agent in New Hampshire for service process”. The telephone number was not provided. Please submit the telephone number for Anderson G. Wells.

603-225-6655

- 6) PUC 2003.01 (c) (10) requires a “copy of the applicant’s authorization to do business in New Hampshire from the New Hampshire secretary of state”. A copy of the website’s “Corporation Division” is insufficient. Please provide a copy of the authorization.

Please find attached

- 7) PUC 2003.01 (c) (12) requires a “description of the types of customers the applicant intends to serve, and the customer classes as identified in the applicable utility’s tariff within which those customers are served”. Although the filing states Glacial’s intent to service small and large commercial customers, it does not identify the customer classes as identified in the tariffs. Please submit that information.

We will be serving G1, G2, G3  
For NHEC it would be “B” and “P” rates

- 8) Puc 2003.01 (c) (12) requires a “statement certifying that the applicant has the authority to file the applications on behalf of the CEPS and that its contents are truthful, accurate, and complete.” Please submit a properly notarized statement to this effect.

Please find attached

- 9) Puc 2003.01 (d) requires that the applicant provide the following:
- 1) Demonstration of technical ability to provide for the efficient and reliable transfer of data and electronic information between regulated distribution companies and CEPS in the form of:
    - a) A statement from each electronic distribution company with which the CEPS intends to do business indicating that the applicant has complied with the training and testing requirements for electronic data interchange; and
    - b) A statement from each electric distribution company with which the CEPS intends to do business indicating that the applicant has successfully demonstrated electronic transaction capability.

As stated in your application, these are in process. Please supply all the required statements when available.

- 8) Puc 2003.01 (d) (4) requires evidence of financial security. Please submit this when available.

We intend to have this in place either by cash deposit or letter of credit within 10 days of this submission

- 9) Puc 2003.01 (1) requires that the “CEPS shall notify any transmission and distribution utility doing business in an area where the CEPS intends to compete of its registration application at the time it files such application with the commission and confirm with the transmission and distribution utility that it has successfully completed its registration.” It does not appear that any notification of Glacial’s application to become registered as a CEPS was communicated to the utilities in whose areas Glacial intends to serve customers, namely, Public Service Company of New Hampshire, Granite State Electric Company d/b/a National Grid, and Unitil Energy Systems, Inc. Please submit copies of the notification served upon the respective utilities. After Glacial is registered as a CEPS, please submit copies of the notification sent to the utilities apprising them of Glacial’s successful completion of its registration.

Please find attached copies of letters informing transmission and distribution utilities our intent to serve

Corp headquarters for Glacial Energy Holdings and Glacial Energy of Texas sales office

Leased

Dallas

2602 McKinney Avenue #220

Dallas, TX 75204

ph:469-467-6406

fax:214-550-2745

County: Dallas County

Finance Department/Leased

Sherman

718 Hwy 82 E Box 324

Sherman, Texas 75090

ph: 877-569-2841 fax 214-594-7090

Physical address is:

1904 N Grand Ave

Sherman, Texas 75091

County Grayson

Operations and IT/leased

Houston

600 Rockmead Road ste 120

Kingwood, Texas 77339

ph: 281-964-3900

fax:281-852-2300

Montgomery County

Glacial Energy of New York sales/leased

New York

99 Powerhouse Rd., Ste 207

Roslyn Heights, NY 11577

ph: 516-625-0863

fax: 516-706-0239

Nassau County

Glacial Energy of New England, Inc. contract admin MA sales

Leased

Massachusetts

24 Route 6A Suites 1 - 3

Sandwich, MA 02563

ph508-833-3500 fax 508-437-5578

Barnstable County

Glacial Energy of New Jersey, Inc. sales/leased

New Jersey

Glacial Energy of New Jersey, Inc.

Olde Lafayette Village

75 Route 15

Building E, Lower Level

Lafayette, New Jersey 07848

ph 973-383-1519 fax 201-643-3090

Sussex County

Glacial Energy of Maryland, Inc. and Glacial Energy of Washington D.C, Inc. DC sales/leased

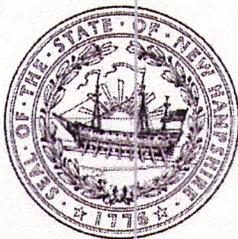
Maryland/Delaware/DC

2809 Boston St Ste 509

Baltimore, MD 21224  
ph410-320-6588 fax 410-558-6751  
County:Baltimore City

Glacial Energy of Illinois, Inc. sales/Leased  
Illinois  
1245 N Clybourn AVE 2nd FL  
Chicago, IL 60610  
ph312-280-7350 fax 773-409-5198  
Cook County

CT sales for Glacial Energy of New England, Inc./leased  
Connecticut  
127 Washington Ave West 4th FL  
North Haven, CT 06473  
ph203-234-9335 fax 203-643-2316  
New Haven County



# State of New Hampshire

## Department of State

Corporation Division  
107 North Main Street  
Concord, N.H. 03301-4989  
603-271-3246



Enclosed is your certificate. It acknowledges this office's receipt and processing of your documents.

Should you have any questions, you may contact the Corporation Division at the above number or email us at [corporate@sos.state.nh.us](mailto:corporate@sos.state.nh.us). Please reference your Business ID # located in the filed section of the enclosed acknowledgement copy.

Please visit our website for helpful information regarding all your business needs.

Regards,

New Hampshire Department of State  
Corporation Division

Business ID#: 564210

State of New Hampshire  
Department of State

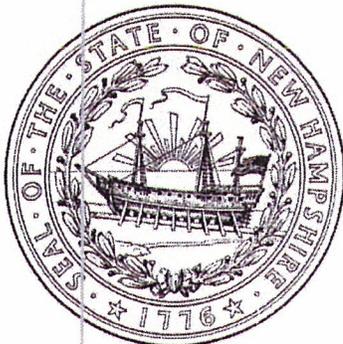
CERTIFICATE OF AUTHORITY OF

GLACIAL ENERGY OF NEW ENGLAND, INC.

The undersigned, as Secretary of State of the State of New Hampshire, hereby certifies that an Application of GLACIAL ENERGY OF NEW ENGLAND, INC. for a Certificate of Authority to transact business in this State, duly signed pursuant to the provisions of the New Hampshire Business Corporation Act, has been received in this office.

ACCORDINGLY the undersigned, as such Secretary of State, and by virtue of the authority vested in him by law, hereby issues this Certificate of Authority to GLACIAL ENERGY OF NEW ENGLAND, INC. to transact business in this State under the name of GLACIAL ENERGY OF NEW ENGLAND, INC. and attaches hereto a copy of the Application for such Certificate.

Business ID#: 564210



IN TESTIMONY WHEREOF, I hereto  
set my hand and cause to be affixed  
the Seal of the State of New Hampshire,  
this 13th day of September, 2006 A.D.

A handwritten signature in cursive script, appearing to read "William M. Gardner".

William M. Gardner  
Secretary of State

Filed  
Date Filed: 09/13/2006  
Business ID: 564210  
William M. Gardner  
Secretary of State

STATE OF NEW HAMPSHIRE

Fee for SRA: \$50.00  
Filing fee: \$50.00  
Total fees: \$100.00  
Use black print or type.

Form No. 40  
RSA 293-A:15.03

APPLICATION FOR CERTIFICATE OF AUTHORITY  
FOR PROFIT FOREIGN CORPORATION

TO THE SECRETARY OF STATE OF THE STATE OF NEW HAMPSHIRE

PURSUANT TO THE PROVISIONS OF THE NEW HAMPSHIRE BUSINESS CORPORATION ACT,  
THE UNDERSIGNED CORPORATION HEREBY APPLIES FOR A CERTIFICATE OF AUTHORITY  
TO TRANSACT BUSINESS IN NEW HAMPSHIRE AND FOR THAT PURPOSE SUBMITS THE  
FOLLOWING STATEMENT:

FIRST: The name of the corporation is Glacial Energy of New England, Inc.

SECOND: The name which it elects to use in New Hampshire is \_\_\_\_\_  
\_\_\_\_\_. (Note 1)

THIRD: It is incorporated under the laws of Nevada

FOURTH: The date of its incorporation is 01/27/06 and  
the period of its duration is perpetual

FIFTH: (Complete this statement only if a Professional Association.) All the shareholders and those of its  
directors and officers as are required by the laws of (enter the State of Incorporation) \_\_\_\_\_  
\_\_\_\_\_ and by RSA 294-A:20 are licensed in one or more states, territories of  
the United States or the District of Columbia to render a professional service described in the statement of  
purpose of the corporation.

SIXTH: The complete address (including zip code and post office box, if any) of its principal office is \_\_\_\_\_  
2701 N. Dallas Pkwy, Ste. 120, Plano, Texas 75093

SEVENTH: The name of its registered agent IN NEW HAMPSHIRE is G. Wells Anderson, Esq.  
\_\_\_\_\_ and the complete address (including zip code  
and post office box, if any) of its registered office IN NEW HAMPSHIRE is (agent's business address)  
14 Centre St., Concord, NH 03301

\_\_\_\_\_. (Note 2)

State of New Hampshire  
Form 40 - Application for Certificate of Authority 4 Page(s)



T0625731008

APPLICATION FOR CERTIFICATE OF AUTHORITY OF

Form No. 40  
(Cont.)

EIGHTH: The principal purpose or purposes which it proposes to pursue in the transaction of business in New Hampshire are utility service provider

(Note 3)

NINTH: The names and usual business addresses of its current officers and directors are: (If there are additional officers or directors, attach additional sheet OR if the laws of the state of incorporation do not require directors, indicate below.)

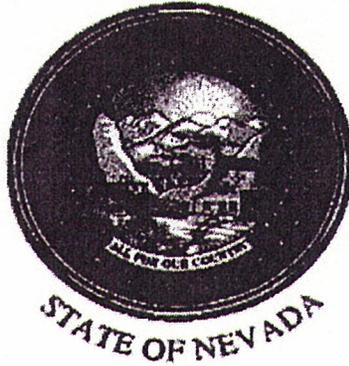
<u>Name</u>	<u>Title</u>	<u>Address</u>
<b><u>OFFICERS</u></b>		
Gary Mole	President	2701 N. Dallas Pkwy, Ste. 120 Plano, Texas 75093
<b><u>DIRECTORS</u></b>		
Gary Mole	Director	2701 N. Dallas Pkwy, Ste. 120 Plano, Texas 75093

Dated 8-30-06

Glacial Energy of New England, Inc. (Note 4)  
 By *Gary Mole* (Note 5)  
 Signature of its President,  
Gary Mole  
 Print or type name

Mail total fees, DATED & SIGNED ORIGINAL ORIGINAL CERTIFICATE OF LEGAL EXISTENCE OR GOOD STANDING ISSUED BY THE STATE OR COUNTRY OF INCORPORATION AND FORM SRA (See Notes 6 & 7) to: Corporation Division, Department of State, 107 North Main Street, Concord, NH 03301-4989.

SECRETARY OF STATE



**CERTIFICATE OF EXISTENCE  
WITH STATUS IN GOOD STANDING**

I, DEAN HELLER, the duly elected and qualified Nevada Secretary of State, do hereby certify that I am, by the laws of said State, the custodian of the records relating to filings by corporations, non-profit corporations, corporation soles, limited-liability companies, limited partnerships, limited-liability partnerships and business trusts pursuant to Title 7 of the Nevada Revised Statutes which are either presently in a status of good standing or were in good standing for a time period subsequent of 1976 and am the proper officer to execute this certificate.

I further certify that the records of the Nevada Secretary of State, at the date of this certificate, evidence, **GLACIAL ENERGY OF NEW ENGLAND, INC.**, as a corporation duly organized under the laws of Nevada and existing under and by virtue of the laws of the State of Nevada since January 27, 2006, and is in good standing in this state.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office on August 30, 2006.



*Dean Heller*

DEAN HELLER  
Secretary of State

By

*[Signature]*  
Certification Clerk

### Form SRA -- Addendum to Business Organization and Registration Forms Statement of Compliance with New Hampshire Securities Laws

**Part I -- Business Identification and Contact Information**

Business Name: Glacial Energy of New England, Inc.

Business Address (include city, state, zip): 2701 N. Dallas Pkwy, Ste. 120, Plano, Texas 75093

Telephone Number: 214) 354-2090 E-mail: gary.mole@glacialenergy.com

Contact Person: Gary Mole

Contact Person Address (if Different): \_\_\_\_\_

**Part II -- Check ONE of the following items in Part II. If more than one item is checked, this form will be rejected. [PLEASE NOTE: Most small businesses registering in New Hampshire qualify for the exemption in Part II, Item 1 below. However, you must insure that your business meets all of the requirements spelled out in A), B) and C):**

- 1.  Ownership interests in this business are exempt from the registration requirements of the state of New Hampshire because the business meets ALL of the following three requirements:
  - A) This business has 10 or fewer owners; and
  - B) Advertising relating to the sale of ownership interests has not been circulated; and
  - C) Sales of ownership interests - if any - will be completed within 60 days of the formation of this business.
- 2.  This business will offer securities in New Hampshire under another exemption from registration or will notice file for federal covered securities. Enter the citation for the exemption or notice filing claimed - \_\_\_\_\_
- 3.  This business has registered or will register its securities for sale in New Hampshire. Enter the date the registration statement was or will be filed with the Bureau of Securities Regulation - \_\_\_\_\_
- 4.  This business was formed in a state other than New Hampshire and will not offer or sell securities in New Hampshire.

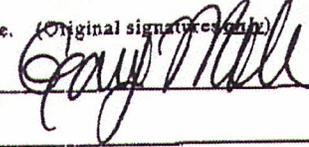
**Part III -- Check ONE of the following items in Part III:**

- 1.  This business is *not* a New Hampshire corporation or limited partnership. (ALL LLC's should check this item.)
- 2.  This business is a New Hampshire corporation or limited partnership and the articles of incorporation or certificate of limited partnership states whether capital stock or interests will be sold or offered for sale.

**Part IV -- Certification of Accuracy**

(NOTE: The information in Part IV must be certified by: 1) all of the incorporators of a corporation to be formed; or 2) an executive officer of an existing corporation; or 3) all of the general partners or intended general partners of a limited partnership; or 4) one or more authorized members or managers of a limited liability company; or 5) one or more authorized partners of a registered limited liability partnership or foreign registered limited liability partnership.)

I (We) certify that the information provided in this form is true and complete. (Original signatures only)

Name (print): Gary Mole Signature: 

Name (print): \_\_\_\_\_ Signature: \_\_\_\_\_

Name (print): \_\_\_\_\_ Signature: \_\_\_\_\_

Date: 8-30-06



**GLACIAL ENERGY, INC**  
24 Route 6A Suite Sandwich, MA 02563  
[www.glacialenergy.com](http://www.glacialenergy.com)

October 16, 2008

New Hampshire  
Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, N.H. 03301-2429

RE: Glacial Energy

Dear Sir or Madam:

I, Michael B Giery Esq., on behalf of Glacial Energy, of which I am a member and represent, authorize Angie Borg to represent this company in connection with its general corporate affairs and to have full signatory and consent authority. Furthermore, Ms. Angie Borg has the authority to file applications on behalf of the Competitive Electricity Provider Service Agreements and that all contents are truthful, accurate and complete.

If you have any questions or concerns, please feel free to contact me at the address listed below.

Thank you in advance for your anticipated assistance.

Respectfully yours,

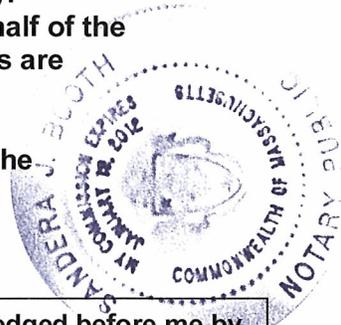
Michael B. Giery Esq.  
Senior Corporate Counsel  
Glacial Energy  
24 Route 6A  
Sandwich, MA 02563  
Ph 857-222-0958  
Fax 508-437-8150

Subscribed and acknowledged before me by the said, Michael B Giery Esq. and subscribed and sworn to before me by the said and as witnesses, this 16th day of October, 2008.

NOTARY PUBLIC

MY COMMISSION EXPIRES

Sandera J. Booth  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
January 19, 2012





October 20, 2008

Supplier Support  
Public Service Company of New Hampshire  
780 N Commercial Street  
Manchester, NH 03101

RE: *Notification of Intent to Serve Pursuant to New Hampshire PUC 2003.01*

Dear Sir or Madam::

As part of its application for certification by the State of New Hampshire Public Utilities Commission as a Competitive Electric Power Supplier (CEPS), Glacial Energy of New England, Inc. (Glacial) submits this letter of intention to offer electric service to customers in the service territory of Public Service Company of New Hampshire.

A copy of this letter will be provided to the Commission as part of Glacial's CEPS application.

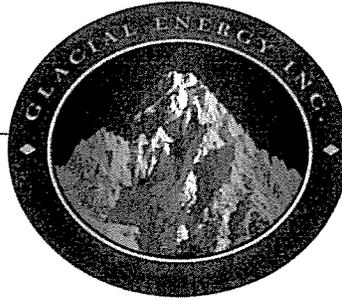
If you have any questions regarding this notification, please do not hesitate to contact me at \_\_903-271-8128\_\_\_\_\_.

Thank you,

Very truly yours,

A handwritten signature in cursive script that reads "Angela Borg". The signature is written in black ink and is positioned above the printed name and title.

Angela Borg  
VP, Finance



October 20, 2008

Supplier Support  
Granite State Electric  
55 Bearfoot Rd  
Northboro, MA 01532

RE: *Notification of Intent to Serve Pursuant to New Hampshire PUC 2003.01*

Dear Sir or Madam:

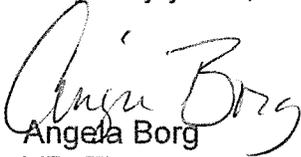
As part of its application for certification by the State of New Hampshire Public Utilities Commission as a Competitive Electric Power Supplier (CEPS), Glacial Energy of New England, Inc. (Glacial) submits this letter of intention to offer electric service to customers in the service territory of Granite State Electric.

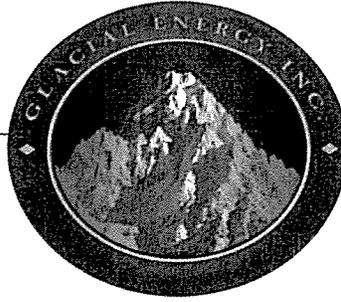
A copy of this letter will be provided to the Commission as part of Glacial's CEPS application.

If you have any questions regarding this notification, please do not hesitate to contact me at \_\_903-271-8128\_\_\_\_\_.

Thank you,

Very truly yours,

  
Angela Borg  
VP, Finance



October 20, 2008

Supplier Support  
Gary Matthews  
UNITIL  
5 McGuire St.  
Concord, NH 03301

RE: *Notification of Intent to Serve Pursuant to New Hampshire PUC 2003.01*

Dear Mr. Matthews:

As part of its application for certification by the State of New Hampshire Public Utilities Commission as a Competitive Electric Power Supplier (CEPS), Glacial Energy of New England, Inc. (Glacial) submits this letter of intention to offer electric service to customers in the service territory of UNITIL.

A copy of this letter will be provided to the Commission as part of Glacial's CEPS application.

If you have any questions regarding this notification, please do not hesitate to contact me at 903-271-8128.

Thank you,

Very truly yours,

A handwritten signature in cursive script that reads "Angela Borg". The signature is written in black ink and is positioned above the printed name and title.

Angela Borg  
VP, Finance