

STATE OF NEW HAMPSHIRE
BEFORE THE
NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION

DE 09-009

Unitil Energy Systems, Inc. (UES) Default Service

PETITION FOR INTERVENTION

NOW COMES Freedom Logistics, LLC and hereby petitions the New Hampshire Public Utilities Commission for intervention in the above-captioned proceeding pursuant to RSA 541-A:32 and NH Code Admin. Rule Puc 203.17. In support of its Petition for Intervention, Petitioner says the following:

1. Freedom Logistics, LLC specializes in providing high-end management services to large end-users that are Market Participant End-Users (MPEU). An MPEU is a member of NEPOOL and ISO-NE and purchases electricity directly from the ISO-NE hourly wholesale market. Freedom Logistics pioneered the passage of the 99th Amendment to the NEPOOL Agreement that became effective on March 1, 2004. This Amendment permits a Market Participant End-User (MPEU) to participate directly in the hourly NEPOOL Market.

2. Freedom Logistics was also the initiating party in the proceeding before the New Hampshire Public Utilities Commission wherein the Commission determined that it would not have jurisdiction over NEPOOL or ISO-NE if an end-user were to “self-supply” its own electricity needs by participating directly in the NEPOOL market. *Petition of Luminescent Systems Inc.*, NHPUC Order No. 24, 172 (May 13, 2003). There are currently several MPEU’s located in New Hampshire, some in Unitil’s service territory (all clients of Freedom Logistics) purchasing power directly from the ISO-NE hourly wholesale market.

3. On February 4, 2009, Unitil Energy Systems, Inc. (UES) filed with the Commission a red-lined copy of the Request for Proposals (RFP) issued by UES on February 3, 2009 soliciting default service for its large commercial and industrial customers (G1) customers and small commercial and residential customers (non-G1) customers.

4. The filing raises, inter alia, issues related to whether the resulting rates are just and reasonable as required by RSA 378:5 and 7; and whether UES has procured default service consistent with the principles of the electric utility restructuring statute (RSA 374-F:3(V)(c)-(e)).

5. As an entity facilitating an alternative to UES’s Default Rate, Petitioner has a strong interest in the outcome of this proceeding that could substantially affect its rights, duties, privileges and other substantial interests.

6. RSA 541-A:32.II also permits the presiding officer to allow intervention “at any time upon determining that such intervention would be in the interest of justice and would not impair the orderly and prompt conduct of the proceedings.”

7. Freedom Logistics is the only representative of the competitive supply community left that has the interest, expertise, and resources to participate in this proceeding, and therefore its intervention would be in the interest of justice.

WHEREFORE, Freedom Logistics, LLC hereby respectfully requests the Commission to grant it party intervener party status and to order such other and further relief as may be just and equitable.

Respectfully submitted,
Freedom Logistics, LLC
By its Attorney

/s/ James T. Rodier
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Dated: March 6, 2009

Certification of Service

Pursuant to Rules Puc 203.02(2) and Puc 203.11, I have served copy of this petition on each person identified on the commission’s service list for this docket.

/s/ James T. Rodier