

**THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DRM 10-014

ORDER OF NOTICE

On May 13, 2010, the Commission voted pursuant to RSA 541-A to initiate a rulemaking for N. H. Admin. Rule Puc 2000, Competitive Electric Supplier and Aggregator Rules. The proposal represents a Readoption with amendment of existing Puc 2000 in order to update the rules to reflect changes in the marketplace, to more clearly establish the registration, reporting and financial requirements for covered entities and to clarify or define key terms that were not previously defined or detailed. The proposed rule establishes requirements for the registration of competitive electric power suppliers and notification procedures for aggregators with the commission. The rule also establishes consumer protection requirements and enforcement provisions and procedures. Specifically, the proposed rule sets forth definitions of terms, requirements for effective registrations and renewals of registrations, rights and obligations, reporting and financial requirements and methods for enforcement and resolution of disputes. The proposed rule will replace the current version of Puc 2000, which is due to expire on September 4, 2010.

A rulemaking notice form (Notice) required by RSA 541-A:6 was filed with the Office of Legislative Services on May 28, 2010. The Notice sets forth a date for the public hearing to be held at the Commission and the deadline for submission of written comments. This notice is appended hereto.

A copy of the Rulemaking Notice will be sent to all regulated utilities and to those parties previously requesting notice of rulemakings pertaining to competitive electric supplier and

aggregator rules. Pursuant to RSA 541-A:6, III, notice may also be provided by public notice advertisement in a publication of daily statewide circulation.

The readoption with amendment may be viewed on the Commission website, www.puc.nh.gov, or copies may be obtained from the Commission as set forth in the Notice.

Based upon the foregoing, it is hereby

ORDERED, that a Public Hearing, pursuant to 541-A:11, be held before the Commission located at 21 S. Fruit St Suite 10, Concord, New Hampshire on July 15, 2010 at 10:00 a.m., and that the deadline for submission of materials in writing or via e-mail shall be July 22, 2010, as set forth in the Notice; and it is

FURTHER ORDERED, that pursuant to RSA 541-A:6,III, the Commission shall undertake a public notice advertisement by publishing a copy of this Order together with the Notice no later than June 24, 2010, in a newspaper with a daily statewide circulation, publication to be documented by affidavit filed with the Commission on or before July 15, 2010.

By order of the Public Utilities Commission of New Hampshire this twenty-seventh day of May, 2010.



Debra A. Howland
Executive Director

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability, should contact the Americans with Disabilities Act Coordinator, NHPUC, 21 South Fruit Street, Suite 10, Concord, New Hampshire 03301; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.

APPENDIX II-C

RULEMAKING NOTICE FORM

Notice Number _____

Rule Number Puc 2000

<p>1. Agency Name & Address:</p> <p>Public Utilities Commission 21 South Fruit Street Suite 10 Concord, NH 03301</p>	<p>2. RSA Authority: <u>RSA 374-F:7,V</u></p> <p>3. Federal Authority: _____</p> <p>4. Type of Action:</p> <p>Adoption _____</p> <p>Amendment _____</p> <p>Repeal _____</p> <p>Readoption _____</p> <p>Readoption w/amendment <u>X</u></p>
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5. Short Title: **Puc 2000 – Competitive Electric Power Supplier and Aggregator Rules**

6. (a) Summary of what the rule says and the effect of the rule on those regulated:

Puc 2000 sets forth the registration and reporting requirements for competitive electric power suppliers and aggregators of electric load. The rule requires these entities to register with the Public Utilities Commission prior to conducting business in New Hampshire and sets out the requirements for an effective registration. For competitive suppliers, such persons or entities must also demonstrate their ability to obtain sufficient energy to serve their customers, must post a bond or financial security, and must submit quarterly reports on their sales and customers in this state. In addition, the rule defines various consumer protection requirements relating to competitive suppliers and aggregators. Also, the rule defines various enforcement mechanisms available to the Public Utilities Commission and consumers.

The amendments to Puc 2000 define and clarify key terms within Puc 2000 which were not previously defined or detailed. In addition, the amendments clarify the requirements and timing for initial registrations and renewals as well as the reporting requirements for financial security and customer reports.

6. (b) Brief description of the groups affected: **These rules and amendments affect persons or entities engaged, or intending to be engaged, in the competitive sale of electric power supply in this state or in the aggregation of electric power customers.**

APPENDIX II-C (Continued)

RULEMAKING NOTICE FORM - Page 2

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule(s)	State Statue (RSA)
Puc 2000 (other specific statute provisions implemented by specific rules are listed below)	RSA 374-F:7
Puc 2003, 2004	RSA 374-F:7.I
Puc 2005	RSA 374-F:7.III & IV. and RSA 541-A:30.II

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Matthew Fossum, Esq.** Title: **Staff Attorney**
Address: **21 South Fruit Street** Phone #: **603-271-2431**
Suite 10 Fax#: **603-271-3878**
Concord, NH 03301 E-mail: **matthew.fossum@puc.nh.gov**
TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **July 22, 2010**

Fax E-mail Other format (specify):
Filed with the Commission pursuant to Puc 203.02

9. Public hearing scheduled for:

Date and Time: **July 15, 2010 at 10:00 a.m.**

Place: **Public Utilities Commission**

21 South Fruit Street, Suite 10

Concord, NH 03301

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 10:064 dated May 27, 2010

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution: **The proposed rules do not modify an existing program or responsibility, and do not apply to any political subdivision and therefore do not violate Part I, Article 28-a.**

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Docket #: 10-014

Printed: May 28, 2010

FILING INSTRUCTIONS: PURSUANT TO N.H. ADMIN RULE PUC 203.02(a),

WITH THE EXCEPTION OF DISCOVERY, FILE 7 COPIES (INCLUDING COVER LETTER) TO:

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