

STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

Investigation into Effect of Customer Migration
on Energy Service Rates

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) Docket No. DE 10-160
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PETITION TO INTERVENE OF RETAIL ENERGY SUPPLY ASSOCIATION

Pursuant to New Hampshire Revised Statutes Annotated (“RSA”) 541-A:32, New Hampshire Administrative Rules, Puc 203.02, and the June 11, 2010 Order of Notice issued by the Public Utilities Commission (“Commission”), the Retail Energy Supply Association (“RESA”)¹ hereby petitions to intervene as a party in the above-captioned docket. As grounds therefor, RESA states as follows:

BACKGROUND

1. RESA is a nonprofit organization and trade association that represents the interests of its members in regulatory proceedings in the Mid-Atlantic, Great Lakes, New York and New England regions. RESA’s members include providers of competitive supply and related services throughout the five New England states that have implemented electric deregulation, including in the service territory of Public Service Company of New Hampshire (“PSNH”).

¹ RESA’s members include ConEd Solutions; Constellation NewEnergy, Inc.; Direct Energy Services, LLC; Energy Plus Holdings LLC; Exelon Energy Company; GDF SUEZ Energy Resources NA, Inc.; Gexa Energy; Green Mountain Energy Company; Hess Corporation; Integrys Energy Services, Inc.; Just Energy; Liberty Power; PPL EnergyPlus; and Sempra Energy Solutions LLC. The comments expressed in this filing represent the position of RESA as an organization but may not represent the views of any particular member of RESA.

2. On May 4, 2010, PSNH filed a Joint Technical Statement (the “Statement”) in Docket No. 09-180, including supporting testimony of Robert A. Baumann. The Statement and supporting documents requested, among other things, an adjustment to PSNH’s energy service rate effective July 1, 2010. PSNH estimates that the new rate would be 8.57 cents per kilowatt hour (kWh), a decrease of 0.39 cents per kWh from the current rate of 8.96 cents per kWh. A portion of the decrease reflects PSNH proposals to address customer migration from SNH service to competitive generation supply.
3. On May 28, 2010, the Commission issued an Order of Notice in Docket 09-180. The 09-180 Order identified PSNH’s claims regarding adverse migration impacts and proposal to create a bypassable charge as significant and complex issues that should be reviewed in a separate docket.
4. Thereafter, on June 11, 2010, the Commission issued an Order of Notice in this docket soliciting interventions concerning issues relating to the effects of customer migration on energy service rates, as promised in the 09-180 Order.

INTERVENTION REQUEST

5. RESA members compete for retail electric customers in the PSNH service territory. Their ability to compete effectively is dependent on several factors, including reasonable and competitively neutral default service pricing rules, procurement procedures that do not create a

disincentive for customers to consider competitive supply alternatives, and fair and competitively neutral energy service rates and policies.

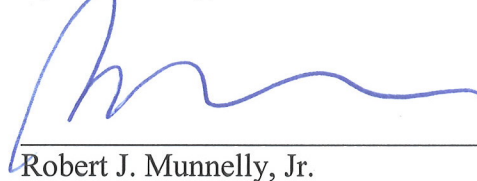
6. As such, RESA and its members have a substantial and specific interest in ensuring that PSNH rates and policies are established in a reasonable manner that facilitates retail competition in New Hampshire energy markets. Accordingly, RESA should be granted party status.
7. Moreover, RESA, as a trade association, can represent the interests of its members in an efficient and coordinated manner. To the extent that RESA members participate individually in this docket, RESA will seek to coordinate its presentations with its members so as to avoid unnecessary duplication.
8. RESA has not yet determined the extent of its participation in this docket. RESA plans to attend the upcoming June 28, 2010 public hearing. RESA reserves rights to participate fully in additional pleadings by attending hearings and technical sessions, presenting evidence, cross-examining witnesses and presenting oral and written argument if necessary to protect its interests.

CONCLUSION

Accordingly, for the above-described reasons, the Commission should grant the petition of RESA to intervene as a full party in this proceeding.

RETAIL ENERGY SUPPLY
ASSOCIATION

By its attorney,

A handwritten signature in blue ink, appearing to read 'R. Munnelly, Jr.', is written over a horizontal line.

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DATE: June 22, 2010