

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

DE 10-188

2011-2012 CORE Electric Programs and Natural Gas Energy Efficiency Programs

NEW HAMPSHIRE ENERGY TRUST,

**a New Hampshire non-profit corporation, established for the purpose of administering
energy efficiency programs in the State of New Hampshire**

**PETITION FOR SUBSTITUTION BY
NEW HAMPSHIRE ENERGY TRUST FOR
MESSIEURS DANIEL RAMAGE AND R. JEREMY HILL, INTERVENORS and PRINCIPALS OF
NEW HAMPSHIRE ENERGY TRUST**

NOW COMES New Hampshire Energy Trust (the "Trust"), a New Hampshire non-profit corporation, respectfully requesting the Commission substitute it as a party in the above referenced proceeding in place of Daniel Ramage and R. Jeremy Hill, whose Petition to Intervene was granted by the Commission on August 31, 2010. In support, the Trust states the following:

1. On September 2, 2010, the Trust was incorporated as a non-profit corporation, pursuant to the laws of the State of New Hampshire. See Exhibit A, providing a copy of the Trust's Articles of Agreement as approved and on file with the New Hampshire Secretary of State.
2. The Trust is an entity formed for the primary purpose of assuming the administration of certain publically funded energy efficiency programs in the state of New Hampshire and to encourage and promote energy conservation and energy efficiency in the State of New Hampshire.
3. As directed by the Commission during the August 31, 2010 pre-hearing conference in this proceeding, simultaneously with this request, the Trust has filed its proposal to administer the energy efficiency plans that are the subject of this docket (the "Proposal"), which details the Trust's program for the administration and promotion of energy efficiency within New Hampshire. The Trust's Proposal is filed under separate cover and is fully incorporated by reference herein.
4. Mr. Ramage and Mr. Hill sought intervention in this docket as individuals who are invested and interested in the energy efficiency programs within the State of New Hampshire. Their petition seeking intervention was granted by the Commission at the August 31, 2010 pre-hearing conference. See Clerk Report, dated August 31, 2010, Docket No. DE 10-188. At

this hearing, the Commission noted that a written opinion supporting its decision to grant the petition of Mr. Ramage and Mr. Hill, as well as other petitioners, would be issued shortly. At the time of this filing, the Commission's decision is not yet available.

5. As stated in their petition to intervene, Mr. Ramage and Mr. Hill have extensive experience serving the energy needs residential and small commercial customers in New Hampshire and other New England States. See Ramage and Hill Petition to Intervene, dated August 26, 2010, Docket No. DE 10-188 (providing further background information).

6. Mr. Ramage and Mr. Hill are founding principals and directors of the Trust. After careful evaluation of the programs currently available to New Hampshire's residential sector, as well as the Commercial & Industrial sector, Mr. Ramage and Mr. Hill developed the Trust's Proposal. The Trust's Proposal will substantially improve current program offerings and will dramatically improve results, all within the current expenditure levels, thereby, helping the state to better achieve its Climate Action Plan and other goals associated with the quality of life in and prosperity of New Hampshire.

7. As the Commission has acknowledged by its grant of party status to Messieurs Ramage and Hill, their participation (now, via the Trust) will benefit the Commission's investigation. More importantly, the Trust's participation will present an alternative to the current utility administration of energy efficiency programs that, if granted, would better serve certain market sectors.

8. The Trust's substitution within this docket does nothing more than put a corporate name in front of Mr. Ramage and Mr. Hill. It is truly form over substance. Indeed, PUC Staff, as well as the other parties to this proceeding, fully anticipated the Trust's future party participation in this docket as evidenced by the procedural schedule prepared for approval by the Commission. See Commission Staff Procedural Schedule Letter, submitted to the Commission on September 2, 2010. More importantly, the Trust's substitution within this proceeding would benefit the Commission's vetting of the issues presented, and would be in the interest of justice. Lastly, the Trust's substitution would not impair the orderly and prompt conduct of the proceedings.

WHEREFORE, the Trust requests that the Commission grant this motion, and allow the Trust to substitute in for Mr. Ramage and Mr. Hill, participate within this proceeding as a full party intervenor, and grant it such other relief as is just and proper.

Respectfully submitted,

NEW HAMPSHIRE ENERGY TRUST



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R. Jeremy Hill
36 Royal Crest Dr #9
North Andover, MA 01845
Tel: 603-401-0703
rjeremyhill@gmail.com

Dated: September 16, 2010

Certificate of Service

I hereby certify that a copy of this Request for Substitution has been hand delivered to PUC staff and sent electronically to the Office of Consumer Advocate and to all other persons on the Service List, DE 10-188 this 16th day of September, 2010.



Daniel Ramage

State of New Hampshire

Recording fee: \$25.00

Use **black print** or type.

Form must be single-sided, on 8½" x 11" paper and have one inch margins on both sides. Double sided copies will not be accepted.

Form NP-1
RSA 292:2

ARTICLES OF AGREEMENT OF A NEW HAMPSHIRE NONPROFIT CORPORATION

THE UNDERSIGNED, BEING PERSONS OF LAWFUL AGE, ASSOCIATE UNDER THE PROVISIONS OF THE NEW HAMPSHIRE REVISED STATUTES ANNOTATED, CHAPTER 292 BY THE FOLLOWING ARTICLES:

FIRST: The name of the corporation shall be New Hampshire Energy Trust, Inc.

SECOND: The object for which this corporation is established is:

1. The corporation is being organized to promote energy efficiency and conservation in the State of New Hampshire. The corporation's mission is to help the people of New Hampshire to better understand ways to save energy that make economic sense, and to assist them in taking action to do so. To achieve this mission, the New Hampshire Energy Trust will efficiently manage public funds and other charitable donations to bring together consumers, trustworthy advice and information, and qualified service providers to realize solutions that make economic sense and improve the quality of life for the citizens of New Hampshire.
2. The corporation is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code. (Continued on Attachment A)

THIRD: The provisions for establishing membership and participation in the corporation are:

The corporation shall not have any members.

FOURTH: The provisions for disposition of the corporate assets in the event of dissolution of the corporation including the prioritization of rights of shareholders and members to corporate assets are:

The corporation shall not have any shareholders.

Upon the dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.



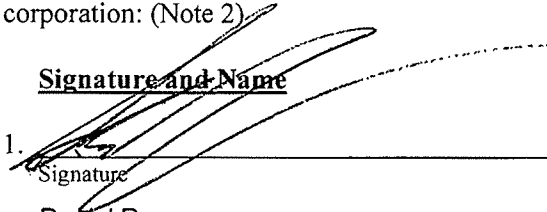
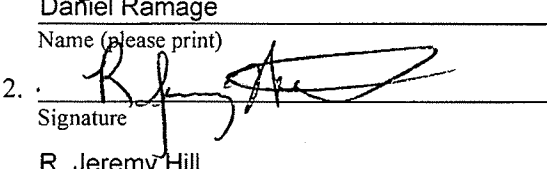
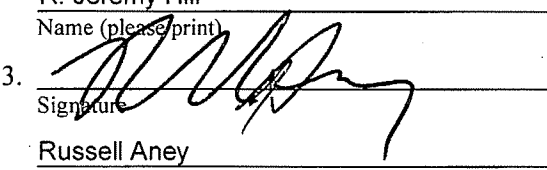
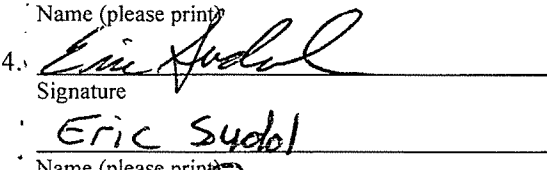
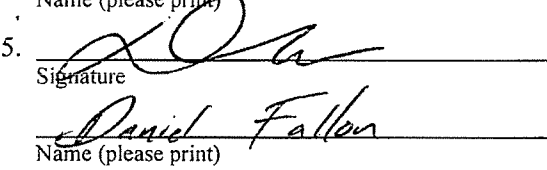
FIFTH: The address at which the business of this corporation is to be carried on is _____
31 Church Lane, Chester, NH 03036

SIXTH: The amount of capital stock, if any, or the number of shares or membership certificates, if any, and provisions for retirement, reacquisition and redemption of those shares or certificates are:

Not applicable.

SEVENTH: Provision eliminating or limiting the personal liability of a director, an officer or both, to the corporation or its shareholders for monetary damages for breach of fiduciary duty as a director, an officer or both is (Note 1) The directors and officers of the corporation shall not be liable to the corporation
for monetary damages for breach of their fiduciary duties to the fullest extent permitted by
New Hampshire law.

EIGHTH: Signatures and post office address of each of the persons associating together to form the corporation: (Note 2)

<u>Signature and Name</u>	<u>Post Office Address</u>
1.  Signature <u>Daniel Ramage</u> Name (please print)	<u>31 Church Lane</u> Street <u>Chester, NH 03036</u> City/Town State Zip
2.  Signature <u>R. Jeremy Hill</u> Name (please print)	<u>36 Royal Crest Dr #9</u> Street <u>North Andover, MA 01845</u> City/Town State Zip
3.  Signature <u>Russell Aney</u> Name (please print)	<u>PO Box 1440</u> Street <u>New London, NH 03257</u> City/Town State Zip
4.  Signature <u>Eric Sydol</u> Name (please print)	<u>18 Victor St.</u> Street <u>Haverhill, MA 01832</u> City/Town State Zip
5.  Signature <u>Daniel Fallon</u> Name (please print)	<u>8 Royal Crest Dr</u> Street <u>North Andover MA 01845</u> City/Town State Zip

Notes: 1. If no provision eliminating or limiting personal liability, insert "NONE".
2. At least five signatures are required.

DISCLAIMER: All documents filed with the Corporate Division become public records and will be available for public inspection in either tangible or electronic form.

*Mail fee and DATED AND SIGNED ORIGINALS to: Corporate Division, Department of State, 107 North Main Street, Concord NH 03301-4989.

ATTACHMENT A

Form NP-1

ARTICLES OF AGREEMENT OF A NEW HAMPSHIRE NONPROFIT CORPORATION

New Hampshire Energy Trust, Inc.

SECOND: The object for which this corporation is established is: *(Continuation)*

3. No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth above. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.