

THE STATE OF NEW HAMPSHIRE

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February 7, 2013

David Pearsall
People's Power & Gas, LLC
10150 Highland Manor Drive
Suite 200
Tampa, FL 33610

Re: DM 11-066, Application of People's Power & Gas, LLC for Registration as a
Competitive Electric Power Supplier (CEPS)

Dear Mr. Pearsall:

On March 30, 2011, People's Power & Gas LLC (PPG) filed with the Commission an application for registration as a competitive electric power supplier (CEPS). Following its initial review of the filing, Commission Staff determined that PPG's application did not meet the requirements for registration pursuant to N. H. Code Admin. Rules Puc 2003.01. Specifically, on April 12, 2011, Staff notified PPG that the application did not comply with Puc 2003.01(d) regarding electronic data interchange (EDI) requirements and membership in the New England Power Pool (NEPOOL) and Puc 2003.03(a) requiring financial security in an application for CEPS registration. On March 21, 2012, PPG provided an updated enrollment form with terms and conditions and letters from PSNH, Unitil, and NHEC stating that PPG had successfully completed EDI testing.

On November 27, 2012, after a series of communications between Commission Staff and company officials (described in Staff's recommendation dated January 31, 2013), PPG requested, among other things, a waiver of Puc 2003.01(d)(4) and 2003.03(a). The Company stated that due to the lengthy review process, PPG's financial security no longer fully meets the five years and 150 day period required by the rule and it would be a hardship to PPG to reissue the financial security. PPG proposed to file a new bond prior to the expiration of the existing bond and stated that it is willing to accept a Commission condition to that effect. In its January 31, 2013 letter, Staff recommended the Commission grant the waiver subject to the following conditions:

- 1) PPG be required to file a new financial surety at least 30 days prior to the expiration of the existing bond;

- 2) If the Commission does not receive a new financial surety at least 30 days prior to the expiration of the existing bond, PPG's registration will expire instantly. In the case of such expiration, PPG must suspend its New Hampshire operations and file a new registration application if it intends to sell electricity to customers in the state of New Hampshire.

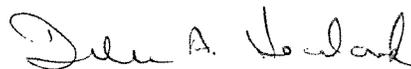
The Commission may waive a rule pursuant to Puc 201.05 if it finds the waiver serves the public interest and the waiver does not disrupt the orderly and efficient resolution of matters before the Commission. The Commission has determined that the applicable standards for a waiver are satisfied and that granting a waiver, subject to the conditions suggested by Staff is consistent with the public good.

Staff also recommended that PPG's application for registration as a CEPS in New Hampshire be approved for 5 years effective January 31, 2013, subject to potential termination consistent with the above referenced conditions. Based on Staff's recommendation and the Commission's review, the Commission will approve PPG's application to be registered as a competitive electric power supplier in New Hampshire.

Please bear in mind that any violation of the conditions or any rule by PPG would be subject to Puc 2005.01. It is also important to remember the following provision of Puc 2003.02 (a) "Each registered CEPS shall re-register with the commission every 5 years by filing with the commission an application for renewal. Each application for renewal shall be filed no less than 60 days prior to the termination of the currently effective registration. If a CEPS fails to meet its re-filing obligation, its registration shall expire by its terms." PPG is required to re-register on or before 60 days from January 31, 2018, provided that PPG's financial surety is renewed as stated earlier. You are also advised that CEPS and aggregators must comply with the renewable portfolio standard (RPS) requirements of RSA 362-F. The RPS obligation applies to every "provider of electricity" as defined in RSA 374-F:2, II which includes CEPS and aggregators. See RSA 362-F:2, XIV. Please also refer to N.H. Code Admin. Rules Puc 2500 for further details regarding compliance and reporting requirements. Compliance is on a calendar year basis and must be reported to the Commission by July 1 of the subsequent calendar year. In addition, pursuant to RSA 378:49, all CEPS, electric service brokers and aggregators must comply with the requirement to disclose environmental characteristics of the electricity they sell to retail customers. Commission Order No. 25,264 provides guidance as to the appropriate format for such disclosure.

If you have any questions regarding this provision, please contact the Commission. Thank you for your cooperation in this matter.

Sincerely,



Debra A. Howland
Executive Director

cc: Docket File

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

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FILING INSTRUCTIONS:

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with: DEBRA A HOWLAND
EXEC DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429
- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.
- c) Serve a written copy on each person on the service list not able to receive electronic mail.