

THE STATE OF NEW HAMPSHIRE



PUBLIC UTILITIES COMMISSION

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September 22, 2011

Howard M. Plante  
Vice President of Marketing  
392 Hooksett Rd, Suite 3  
Auburn, NH

Re: DM 11-075, Application of PNE Energy Supply LLC for Registration as a  
Competitive Electric Power Supplier (CEPS)

Dear Mr. Plante:

On April 11, 2011, the New Hampshire Public Utilities Commission (Commission) received an application from PNE Energy Supply LLC (PNE) for registration as a Competitive Electric Power Supplier (CEPS). In its letter, PNE stated that it was in the process of meeting the application requirements set out in N.H. Admin Rules Puc 2003.01 (d) (1), (2) and (4), relative to transfer of data and electronic information between utilities, ability to obtain supply in the New England energy market, and evidence of financial surety. On May 31, 2011, PNE filed a motion for extension of time to complete the application. The Commission granted the request and extended the time for PNE to complete the application to July 29, 2011. After PNE submitted the necessary supplemental information on July 29, 2011, Staff sent a second deficiency letter regarding PNE's financial surety. On September 2, 2011 PNE submitted an amended financial surety document.

Staff has reviewed the application and supplemental information and recommends that PNE's application for registration as a CEPS be approved, effective September 14, 2011. Staff noted, however, that inasmuch as PNE only submitted a statement from Public Service Company of New Hampshire indicating that PNE had complied with the training and testing requirements for electronic data interchange (EDI), PNE's registration be approved only for PSNH's service territory. Staff also stated that PNE can request extension of its service to the service territories of those utilities by updating its application with documentation demonstrating successful completion of the testing. Upon receipt of such submittal, Staff will review the information and make a recommendation to the Commission.

Based on Staff's recommendation and the Commission's review, the Commission will approve PNE's application to be registered as a competitive electric power supplier in the

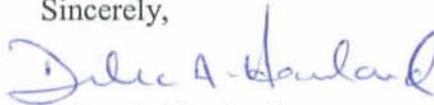
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franchise area of the electric distribution company with which PNE has completed EDI testing; namely, PSNH.

Please bear in mind 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." Therefore, PNE is required to re-register on or before July 25, 2016. 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.

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