

Dm 12-053

Pvc 2006.02 form for Initial and Renewal Registration of
Aggregators.



ATTN: Debra A.
Howland

EarlyBird Power LLC

Submitted by:

EarlyBird Power
1 Adams Street
Milton MA 02186



Save on Energy

Ph 617 872 2384 | 888 SO EARLY | Fax 617 322 9283 | <http://www.earlybirdpower.com>





EarlyBird Power

1 Adams Street
Milton MA 02186

RE: DM 10-026 License Renewal

Puc 2006.02 Form for Initial and Renewal Registration of Aggregators.

(a) The registration application required by Puc 2003.04(a) and Puc 2003.05(b) shall include the following:

(1) The legal name of the applicant as well as any trade name(s) under which it intends to operate in this state;

EarlyBird Power LLC

(2) The applicant's business address, telephone number, e-mail address and website address, as applicable;

Early Bird Power LLC

1 Adams St Milton MA 02186

888-763-2759

shaunpandit@earlybirdpower.com

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(3) The name(s), title(s), business address(es), telephone number(s), and e-mail address(es) of the applicant if an individual or of the applicant's principal(s), if the applicant is anything other than an individual;

Shaun Pandit

CEO

1 Adams St Milton MA 02186

617 872 2384

shaunpandit@earlybirdpower.com

(4) The telephone number of the customer service department or the name, title, telephone number and e-mail address of the customer service contact person of the applicant, including toll free telephone numbers if available

888 763 2759

(5) A copy of the applicant's authorization to do business in New Hampshire from the secretary of state, if anything other than an individual;

Attached

(6) Description of the geographic areas of New Hampshire in which the applicant intends to provide service, consistent with Puc 2006.01(a)(10) above;
20 Puc 2000

All areas of New Hampshire

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NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

(7) A statement that the applicant is not representing any supplier interest or a listing of any supplier interest the applicant intends to represent;

Early Bird Power LLC is not representing any supplier interest or a listing of any supplier interest that Early Bird Power LLC intends to represent and

(8) Except as provided in 2003.04(e), payment of the required filing fee;
\$250.00 check included.

and

(9) The signature of the applicant or its representative.
Source. #9774-B, eff 8-26-10

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State of New Hampshire

Department of State

CERTIFICATE

I, William M. Gardner, Secretary of State of the State of New Hampshire, do hereby certify that Early Bird Power LLC, a(n) Massachusetts limited liability company registered to do business in New Hampshire on December 24, 2009. I further certify that it is in good standing as far as this office is concerned, having filed the annual report(s) and paid the fees required by law.



In TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed the Seal of the State of New Hampshire, this 14th day of February, A.D. 2012

A handwritten signature in dark ink, appearing to read "William M. Gardner".

William M. Gardner
Secretary of State



EarlyBird Power

1 Adams Street
Milton MA 02186

RE DM-026 Renewal Application

Feb, 10, 2012

Hi,

I am requesting a waiver from the rule below please under 201.05

Puc 201.05 Waiver of Rules.

(a) The commission shall waive the provisions of any of its rules, except where precluded by statute, upon request by an interested party if the commission finds that:

(1) The waiver serves the public interest; and

(2) The waiver will not disrupt the orderly and efficient resolution of matters before the commission.

(b) In determining the public interest, the commission shall waive a rule if:

(1) Compliance with the rule would be onerous or inapplicable given the circumstances of the affected person; or

(2) The purpose of the rule would be satisfied by an alternative method proposed.

(c) Any interested party seeking a waiver shall make a request in writing, except as provided in (d) below.

(d) The commission shall accept for consideration any waiver request made orally during a hearing or pre-hearing conference.

(e) A request for a waiver shall specify the basis for the waiver and proposed alternative, if any. Source. #2011, eff 5-4-82; ss by #2912, eff 11-26-84; ss by #4998, eff 11-26-90; ss by #6365, INTERIM, eff 11-18-96, EXPIRED: 3-18-97

New. #6559, eff 8-19-97, EXPIRED: 8-19-05

New. #8420, INTERIM, eff 8-23-05, EXPIRED: 2-19-06 New. #8657-B, eff 6-10-06

Our license administrator had an oversight and did not recognize the 60 day requirement as required in the letter sent in 2010 with the new rule 2003.05 a below.

Puc 2003.05 Renewal of Notice by Aggregators.

(a) Each approved aggregator shall re-notify the commission after the initial 2 year period, or after the 5 year renewal period as applicable, by filing with the commission an application for renewal at least 60 days prior to the expiration of the currently effective registration. If an aggregator fails to meet its re-filing obligation, the original registration shall expire by its terms.

1. Public interest-

Why I am requesting a waiver is because Early Bird Power works with many non profit clients, such as the Catholic Archdiocese and does not charge any fees for this service. Many of the schools I work with, and would like to continue to work with, are located in Rhode Island. I have completely satisfied

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RE DM-026 Renewal Application

clients, and have no complaints in any of the 13 states Early Bird Power LLC is licensed in. A disruption in licensing would prove burdensome for Early Bird Power and its clients, and the ability to continually assist during changing markets. Many clients have contracts the are close to renewal and have come to value our advice, which we would be prevented from giving until a license is granted,

Thank you, we will be more diligent in following all rules and regulations.

Shaun Pandit

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THE STATE OF NEW HAMPSHIRE

CHAIRMAN
Thomas B. Getz

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Clinton C. Below
Amy L. Ignatius

EXECUTIVE DIRECTOR
AND SECRETARY
Debra A. Howland



PUBLIC UTILITIES COMMISSION
21 S. Fruit Street, Suite 10
Concord, N.H. 03301-2429

Tel. (603) 271-2431

FAX (603) 271-3878

TDD Access: Relay NH
1-800-735-2964

Website:
www.puc.nh.gov

March 10, 2010

Shaun Pandit
CEO Director
Early Bird Power, LLC
256 Canton Ave
Milton, MA 02186

Re: DM 10-026, Notification of Early Bird Power, LLC's (Early Bird) Intent to Provide Electric Aggregation Service

Dear Mr. Pandit:

This is to confirm that the New Hampshire Public Utilities Commission (Commission) has received Early Bird's notice of intent to provide electric aggregation service in the State of New Hampshire, pursuant to New Hampshire Administrative Rules Puc 2003.02. Staff has reviewed the application provided and believes that it meets the requirements of Puc 2003.02. Based on Staff's recommendation and the Commission's review, the Commission approves Early Bird's application to provide electric aggregation service in New Hampshire.

Please note the following provision of Puc 2003.02 (f): "[E]ach aggregator shall re-file with the commission an up-to-date written notice of intent to provide service as an aggregator every 2 years on or before its original notice anniversary date. Early Bird's original notice anniversary date is **February 10, 2010** and therefore it is required to refile an up-to-date written notice on or before **February 10, 2012** if it continues to offer and provide electric aggregation service. In addition, Early Bird is subject to the provisions of Puc 2004.03, telephone solicitation of customers, and Puc 2004.07, customer protections provided by aggregators.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Debra A. Howland".

Debra A. Howland
Executive Director