

THE STATE OF NEW HAMPSHIRE

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May 17, 2012

Mr. Joseph Donovan
Senior Counsel
Constellation Energy Resources, LLC.
100 Constellation Way, Suite 600C
Baltimore, MD 21202

Re: DM 12-062, Constellation NewEnergy, Inc.
Renewal of Registration to Supply Competitive Electric Service in Certain New
Hampshire Franchise Areas

Dear Mr. Donovan:

On March 10, 2012, the New Hampshire Public Utilities Commission (Commission) received an application from Constellation NewEnergy, Inc. (Constellation) to renew its registration as a Competitive Electric Power Supplier (CEPS). On April 17, 2012, Constellation filed a request for waiver of Puc 2003.02(a) requiring the application for renewal be filed no less than 60 days prior to the expiration of the currently effective registration. Constellation's renewal was due on April 9, 2012. Constellation stated that the delay was due to its confusion about the rules for the renewal application.

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 is consistent with the public good.

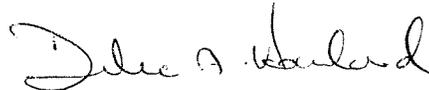
Staff has reviewed the application and supplemental information and recommends that Constellation's application to renew its registration as a CEPS be approved. Based on Staff's recommendation and the Commission's review, the Commission will approve the renewal of Constellation's application to be registered as a competitive electric power supplier.

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.” The Commission granted the waiver for this provision, therefore, Constellation is required to re-register on or before 60 days from February 9, 2017, the expiration day of Constellations financial surety. 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,

A handwritten signature in black ink, appearing to read "Debra A. Howland". The signature is fluid and cursive, with the first name being the most prominent.

Debra A. Howland
Executive Director

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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Docket #: 12-062-1 Printed: May 17, 2012

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
EXECUTIVE 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.