

THE STATE OF NEW HAMPSHIRE



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PUBLIC UTILITIES COMMISSION

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June 8, 2012

Kevin Dean
Electricity NH
P.O. Box 1150
Auburn, ME 04211

Re: DM 12-075, Application of Electricity NH, LLC for Registration as a
Competitive Electric Power Supplier (CEPS)

Dear Mr. Dean:

On March 26, 2012, the New Hampshire Public Utilities Commission (Commission) received an application from Electricity NH, LLC d/b/a E.N.H. Power (Electricity NH) for its registration as a Competitive Electric Power Supplier (CEPS). In its application, Electricity NH stated that it was in the process of meeting the electric data transfer requirements (EDI testing) with Public Service of New Hampshire (PSNH), pursuant to Puc 2003.01(d)(1). In addition, Electricity NH stated that it would provide evidence of financial surety as well as authorization to do business in New Hampshire. Electricity NH did not initially provide the contracts to be used for residential and small commercial customers pursuant to Puc 2006.01(a)(20). On April 13, 2012, Electricity NH filed the contracts to be used for residential and small commercial customers. Electricity NH also requested a waiver regarding financial surety. On April 19, 2012, Electricity NH provided certification of its authorization to do business in New Hampshire doing business under the trade name E.N.H. Power and copies of revised terms of service. On May 15, 2012, Noble Group Limited provided joint financial surety for Noble Americas Energy Solutions LLC (a registered CEPS, DM 11-067) and Electricity NH, LLC. On May 25, 2012 Electricity NH submitted a Certificate of Completion of EDI testing with PSNH.

Staff has reviewed the application and supplemental information and recommends that Electricity NH's application for registration as a CEPS be approved effective June 8, 2012. Staff noted, however, that inasmuch as Electricity NH only submitted a statement from PSNH indicating that Electricity NH had complied with the training and testing requirements for electronic data interchange, Electricity NH's registration be approved only for PSNH's service territory. Staff also stated that Electricity NH 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. It was recommended that

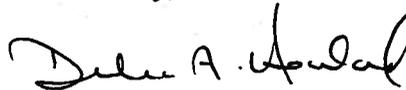
Electricity NH consolidate the submittal of such updates to result in a more efficient review process.

Based on Staff's recommendation and the Commission's review, the Commission will approve Electricity NH's application to be registered as a competitive electric power supplier in the franchise area of the electric distribution company with which Electricity NH 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, Electricity NH is required to re-register on or before April 1, 2017. 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

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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
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NHPUC
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- 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.