

STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: November 15, 2012

AT (OFFICE): NHPUC

FROM: Robert J. Wyatt 
Utility Analyst IV

SUBJECT: Staff Recommendation
DM 12-257 Retention and Operations Group dba Surpass, LLC
Natural Gas Aggregator Registration Application

TO: Debra Howland
Executive Director

On September 7, 2012, Staff, after completing its review of the gas aggregator registration application for Retention and Operations Group dba Surpass, LLC (Surpass), filed a deficiency letter that specified four registration requirements that needed to be addressed by the applicant. (The registration application was originally filed on August 21, 2012). On November 6, 2012, Staff telephoned Ken Nemcovich, Surpass' CEO, the contact person listed in this registration application. Mr. Nemcovich indicated he would instruct the responsible person from his organization to get in touch with Staff the following day, in an attempt to resolve the outstanding deficient items in the application.

Subsequent to the telephone conversation with Mr. Nemcovich, Staff has not been contacted by Surpass, and nothing has been filed with the Commission to address the four items that were identified in the September 7, 2012 deficiency letter. Staff considers the four requirements that are deficient to be administratively straight forward to correct, and is unsure as to why Surpass has failed to bring its application into compliance over the past two months.

For the reasons stated above, and in accordance with Puc 3003.04(g), Staff recommends that the registration application for Surpass to become a natural gas aggregator in New Hampshire be suspended. If Surpass has not addressed the registration requirements after 120 days of the date of the deficiency letter, which would be by January 4, 2013, Staff recommends that the Commission reject the Surpass application and close the case.

Should you have any questions regarding this registration application, please do not hesitate to contact Robert Wyatt of the Gas/Water Division.

Cc: Service List (electronically)