

THE STATE OF NEW HAMPSHIRE  
BEFORE THE PUBLIC UTILITIES COMMISSION

PNE ENERGY SUPPLY LLC  
HALIFAX AMERICAN ENERGY SUPPLY, LLC

Complaint Against Public Service Company of New Hampshire

PNE Energy Supply LLC (“PNE”) and Halifax American Energy Supply, LLC (“HAEC”) hereby bring this complaint against Public Service Company of New Hampshire (“PSNH”) pursuant to RSA 365:1 and Puc 204.01(a).

PARTIES

1. PNE is a duly registered competitive electric power supplier under Puc 2003.01.
2. HAEC is a duly registered competitive electric power supplier under Puc 2003.01.
3. PSNH is a New Hampshire electric utility subject to the jurisdiction of the Commission under RSA Chapter 362 and 365, and Puc Rules 300.

JURISDICTION

4. The Commission has jurisdiction over this matter under RSA 365:1.

APPLICABLE LAW

5. PSNH’s Electricity Delivery Service Tariff, provides as follows;

Termination of Supplier Service or Self-Supply Service

To terminate Supplier Service from a particular Supplier, a Customer may either have the Supplier of record send to the Company a “Supplier Drops Customer” transaction, in accordance with the Terms and Conditions for Energy Service Providers section of this Tariff, or request Supplier Service from an alternative Supplier. Supplier Service from the Supplier of record shall terminate on the next meter read date provided the Company has received either a valid “Supplier Drops Customer” notice from the Supplier of record or a valid Electronic Enrollment from a new Supplier at least two business days prior to the regularly scheduled meter read date.

Terms and Conditions for Delivery Service, Section 7, at Original Page 12

6. Accordingly, pursuant to PSNH’s Tariff, in order to drop PNE or HAEC as a supplier, a customer must: (1) may either have the Supplier of record send to the Company a “Supplier Drops Customer” transaction, in accordance with the Terms and Conditions for Energy Service Providers section of this Tariff, or request Supplier Service from an alternative Supplier.

## ALLEGATION OF FACTS

7. On April 2, 2014, the following email exchange took place between PNE and PSNH:

Good Afternoon Aaron,

We received a drop notification for acct # 56760421040 with reason being "Customer Returned to STD Service". I have never received this drop reason before and I thought a customer could not request a drop through the utility, that they had to contact the supplier to have their account dropped?

Thank you,  
Dayna Bradbury Wilkins [PNE Billing Manager]

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Hi Dayna.[sic]

In the past we had not but last year we began to drop suppliers upon a customer's request.

PSNH Supplier Services  
[psnhsupplierservices@nu.com](mailto:psnhsupplierservices@nu.com)

8. Accordingly, it now appears that, contrary to the applicable provision of its Tariff, PSNH has begun returning customers to Default Service when directly requested by a customer, rather than requiring the customer to request a drop through PSNH as it had done in the past.

9. PSNH's foregoing change in policy and practice not only is prohibited by the express terms of its Tariff, and it is also inconsistent with PSNH's recent and extensive testimony in Docket No. 12-295<sup>1</sup>.

WHEREFORE, for all of the foregoing reasons, Complainants respectfully request the Commission to:

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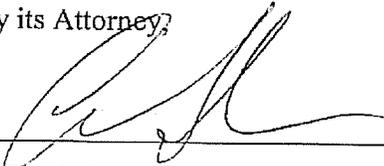
<sup>1</sup> E.g., see Cross-Examination of Commissioner Ignatius at Transcript (October 3, 2014), p.p. 250 through 254.

- A. Convene an adjudicative proceeding as provided in N.H. Admin. Rule PUC 2505.13 to allow Complainants an opportunity to prove, after discovery and deposition, the foregoing alleged violations;
- B. Order PSNH to make reparation to Complainants; and
- C. Grant such other and further relief as may be just and equitable.

Respectfully submitted,

PNE ENERGY SUPPLY, LLC  
HALIFAX AMERICAN ENERGY SUPPLY, LLC

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