

STATE OF NEW HAMPSHIRE**Inter-Department Communication****DATE:** November 23, 2016**AT (OFFICE):** NHPUC

FROM: *David*
David Goyette, Utility Analyst III

SUBJECT: DM 16-848, Agera Energy LLC
Renewal of Registration as Competitive Electric Power Supplier

TO: Commissioners
Debra Howland, Executive Director

Executive Summary

Agera has applied to renew its registration as a competitive electric power supplier. Agera's current registration expires on January 8, 2017. Agera submitted sample residential and small commercial customer contracts, certificates demonstrating it completed EDI testing with Eversource, Liberty, NHEC, and UES, a rider extending, by one year, the term of its surety bond in the amount of \$100,000, and a request for a waiver of the five-year and 90-day term requirement for financial security. Staff recommends that the Commission approve the application, for service in the franchise areas of Eversource, Liberty, NHEC, and UES, for a renewal registration period ending on the termination date of the surety bond as extended.

Background and Analysis

On November 8, 2016, Agera Energy LLC (Agera) filed an application to renew its registration as a competitive electric power supplier (CEPS). Agera's currently active registration, which the Commission approved in Docket No. DM 15-480, expires on January 8, 2017. Agera's application included residential and small commercial customer contracts and a request for a waiver of Puc 2003.03(a)(5), which requires that the financial security filed with a CEPS renewal application have a term of not less than five years and 90 days. On November 15, 2016, Agera filed a rider to its currently effective surety bond, which extends the term of the bond to January 8, 2018. The continued surety bond is in the amount of \$100,000 and names the Commission as obligee. On November 22, 2016, Agera filed certificates demonstrating that it has completed EDI testing with Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource), Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty Utilities (Liberty), New Hampshire Electric Cooperative, Inc. (NHEC), and Unitil Energy Systems, Inc. (UES), and evidence that it is able to obtain supply in the New England energy market. On November 23, 2016, Agera filed a sample customer bill.

Staff has reviewed the information in the application and, if the Commission were to grant approval of the waiver request of the financial security term requirement,

believes it meets the requirements of Puc 2003 and 2006.01. Staff recommends that the Commission grant the request for a waiver of Puc 2003.03(a)(5) and, because the surety bond does not meet the five-year and 90-day requirement and because it expires on January 8, 2018, that the Commission approve a renewal registration period with a term concurrent with the surety bond, beginning on the expiration date of the currently active registration, January 8, 2017, and ending at the close of business on January 7, 2018. Staff also recommends that, if the Commission grants the requested waiver, the Commission notify Agera that the financial security rules are likely to change during 2017 and that Agera should monitor the rulemaking process in Docket No. DRM 13-151 and plan accordingly with respect to future operations in New Hampshire.

Agera filed documentation that demonstrates it has completed EDI testing with Eversource, Liberty, NHEC, and UES. Staff therefore recommends that the Commission approve Agera's application to renew its registration as a CEPS, and that it permit Agera to serve residential and small commercial customers and to operate in the service areas of Eversource, Liberty, NHEC, and UES.

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 #: 16-848-1 Printed: November 23, 2016

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.