



NIPUC 27 JAN 17 PM 2:10

January 27, 2017

Debra A. Howland
Executive Director and Secretary
Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301-2429

Re: DRM 16-853, N.H. Code Admin. Rules Chapter 2000 Competitive Electric Power Supplier and Aggregator Rules Modifying Scope of Public Comments Requested

Dear Ms. Howland:

I am writing on behalf of Freedom Logistics, LLC, d/b/a Freedom Energy Logistics, in response to your Secretarial Letter dated January 20, 2017 in the above-captioned proceeding which established January 27, 2017 as the deadline for submission of written comments and other written materials in connection with the above-captioned rulemaking docket.

PUC 2004.03: Price Disclosure

It is of concern that the provisions in 2004.03 sections c, d, and e would preclude the use of time-of-use rate designs that would be applied to intermittent renewable customer-generators such as those that have been proposed in Docket No. DE 16-576.

(a)(3): In this section, it would be necessary to know if the Commission requires a formulaic disclosure, or if a statement regarding the variable rate components is sufficient.

PUC 2004.04: Disclosure Prior to End of Contract

- (a) We appreciate the Commission's need to acknowledge the timely notification of consumers regarding the end of their current contract. In this case, however, it is worrisome that some small commercial and residential customers, when notified 60-45 days in advance, will switch to a new CEPS upon receipt of the renewal notification, without noticing the true end date of the current agreement. This may cause an increased potential for early termination fees from the current supplier and customer confusion regarding the true term of their contract.

To ease the burden on customers and limit the potential for early termination, we highly recommend the Commission consider a notification period of 45-30 days.

PUC 2004.08 & 2004.09: Customer Authorization Required for CEPS/Aggregator's Granted Agency Authority

Freedom Energy Logistics
5 Dartmouth Drive, Suite 301
Auburn, NH 03032

(k)(1) In accordance with this section, it is requested that the Commission further define an “authorized” party when a switch to a CEPS is made. Under this, individuals may claim to have authorization, such as an adult living in the home, a roommate, or an office representative for a small commercial entity, but a CEPS may be held liable for all charges billed under that agreement if it is later shown that the party did not have proper authorization in making the transfer to the CEPS.

Under the same clause, it is also requested that the Commission consider the liability for unauthorized transfers to be either the difference in the rate billed and the default service rate offered by the LDC during that time period, or, in the case of a switch between CEPS, the difference between the contracted rates. This is in consideration of the same example above where a user may claim to have authorization, only to be disputed at a later date.

PUC 2004.10 & 2004.12

With the advent of new technology, including the use and availability of smart meters, the Commission does not currently allow for accelerated or off-cycle enrollment of a customer. This omission may further inhibit the availability of innovative programs and offerings for customers, such as on peak and off peak rates, as the technology becomes readily available.

PUC 2005.07: Investigation by Commission By Reason of Consumer Complaint

(c) and (d): Under these sections, in an effort to reduce cost and increase the efficiency of the resolution process as noted in Governor Sununu’s memo dated January 5, 2017 under 3b, it is recommended that the Commission consider mediation or arbitration as an alternative to a hearing in the event of an investigation by the Commission.

It is strongly suggested that the Commission consider and revise the aforementioned subsections of proposed PUC Chapter 2000.

Sincerely,



August Fromuth
Managing Director