

THE STATE OF NEW HAMPSHIRE

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PUBLIC UTILITIES COMMISSION

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February 17, 2017

NHPUC 17FEB'17AM10:26

Thomas C. Mattzzie, President and CEO  
CleanChoice Energy, Inc.  
1055 Thomas Jefferson St. NW Suite 650  
Washington, DC 20007

Re: DM 17-028, CleanChoice Energy, Inc.  
Competitive Electric Power Supplier Application for Renewal Registration  
Deficiency Letter – Request for Additional Information

Dear Mr. Mattzzie:

On February 14, 2017, CleanChoice Energy, Inc. (CleanChoice) submitted an application to the Commission for renewal of its registration as a competitive electric power supplier (CEPS). Commission Staff has reviewed the application and determined it is incomplete and, therefore, does not comply with the requirements of N.H. Code Admin. Rules Puc 2003. In particular, Staff identified the following requirements that have not been met and the related items which are missing from the application:

- 1) Proof of financial security.

*Puc 2003.01(d)(4) Evidence of financial security, as defined in Puc 2003.03.*

- 2) The application lists a trade name that is not registered with the N.H. Secretary of State: "CleanChoice Energy."

*Puc 2006.01 Form for Initial and Renewal Registration of Competitive Electric Power Suppliers.*

*(9) A copy of the applicant's authorization to do business in New Hampshire from the New Hampshire secretary of state, if anything other than an individual.*

Regarding item #1, Staff acknowledges that the letter included with the application stated that CleanChoice is "working to extend the surety bond currently on file... until at least April 15, 2018." Please note that, based on the expiration date of CleanChoice's currently effective bond and CEPS registration, both of which are April

15, 2017, if you revise the bond, either with a rider or a replacement bond, the termination date should be no sooner than April 15, 2018.

Please also be aware that, if the bond is modified or replaced so that it expires less than five years and 90 days after the date the application was filed, the bond will not meet the term requirements of Puc 2003.03(a)(5). If this is the case, in order to be considered for approval, CleanChoice will need to file a request for a waiver of this requirement. Please note that Staff generally does not recommend that the Commission grant a waiver of the financial security term requirement for a bond with a term less than 12 full months from the effective date of registration or with a right of cancellation prior to the end of such 12-month period. The currently effective surety bond should be amended, extended, or replaced in order to meet these conditions.

Regarding item #2, CleanChoice can use the proposed trade name if it supplements its application either with a printout of the trade name registration on the N.H. Secretary of State website, with the status shown as "Good Standing" or words of similar import, or a certificate from the Secretary of State (SOS) showing that the applicant is authorized to use the trade name in New Hampshire. Otherwise, CleanChoice can exclude the trade name with a statement that CleanChoice Energy, Inc. does not intend to use this trade name in New Hampshire.

In order to complete your application, you should respond accordingly to the items listed above. When responding, please address your letter to Debra A. Howland, Executive Director, and reference the docket number listed on the subject line of this letter.

Pursuant to Puc 2003.02(f), please provide all information requested within 60 days of the date of this letter. Puc 2003.02(f) is copied below.

*Puc 2003.02(f) If the commission has requested information or clarification to complete an application for renewal, and such information or clarification is not provided within 60 days of the request, the commission shall suspend the application. If, after 120 days of the date of the request, the applicant has not provided the requested information or clarification, the commission shall reject the application. If an application is rejected, the application fee shall be forfeited and the applicant shall be required to submit a new application and fee prior to acting as a CEPS in New Hampshire.*

Sincerely,



David Goyette  
Utility Analyst III

cc: Service List  
Docket File

**SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED**

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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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Docket #: 17-028-1      Printed: February 17, 2017

**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.