

**STATE OF NEW HAMPSHIRE**

## Inter-Department Communication

NHPUC 2 JUN 17 PM 4:24  
DATE: June 2, 2017  
AT (OFFICE): NHPUC

Dnb RF

**FROM:** David Goyette, Utility Analyst III

**SUBJECT:** DM 17-089, FairPoint Energy, LLC  
Renewal of Registration as Competitive Electric Power Supplier

**TO:** Commissioners  
Debra Howland, Executive Director

Executive Summary

FairPoint Energy has applied to renew its registration as a competitive electric power supplier. FairPoint Energy's current registration expires on July 26, 2017. FairPoint Energy submitted a sample residential and small commercial customer contract, certificates demonstrating it completed EDI testing with Eversource and Unitil, and a continuation certificate extending the term, by one year, of its currently effective surety bond in the amount of \$350,000, and a request for a waiver of the five-year and 90-day term requirement for financial security. If the Commission were to grant the requested rule waiver, Staff believes the filing is acceptable. Staff recommends the Commission grant the waiver and approve the application for a registration period ending on the termination date of the surety bond.

Background and Analysis

On May 26, 2017, FairPoint Energy, LLC (FairPoint Energy) filed an application to renew its registration as a competitive electric power supplier (CEPS). FairPoint Energy's currently active registration, which the Commission approved in Docket DM 16-615, expires on July 26, 2017. FairPoint Energy's application included certificates demonstrating that it has completed electronic data interchange (EDI) with Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource) and Unitil Energy Systems, Inc. (Unitil), evidence that it is able to obtain supply in the New England energy market, a certificate extending the term of its currently effective surety bond, which is in the amount of \$350,000 and names the Commission as obligee, to July 26, 2018, and a request for a waiver of Puc 2003.03(a)(5), which requires the financial security filed with a renewal application have a term of five years and 90 days. On June 2, 2017, FairPoint Energy filed a residential and small commercial contract.

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 and, because the surety bond does not meet

the five-year and 90-day term requirement and because it expires on July 26, 2018, that the Commission approve a registration period concurrent with the term of the surety bond, beginning on the expiration date of the currently active registration, July 26, 2017, and ending at the close of business on July 25, 2018. Staff also recommends that the Commission notify FairPoint Energy that the financial security rules are likely to change during 2017 and that FairPoint Energy should monitor the rulemaking process in Docket DRM 16-853 and plan accordingly with respect to future operations in New Hampshire.

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

**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.

Executive.Director@puc.nh.gov  
amanda.noonan@puc.nh.gov  
ccammarano@criusenergy.com  
david.goyette@puc.nh.gov  
david.wiesner@puc.nh.gov  
leszek.stachow@puc.nh.gov  
margaret.raymond@puc.nh.gov  
ocalitigation@oca.nh.gov  
tom.frantz@puc.nh.gov

Docket #: 17-089-1      Printed: June 02, 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.