

STATE OF NEW HAMPSHIRE
Inter-Department Communication

DATE: January 5, 2021
AT (OFFICE): NHPUC

CL

FROM: Corrine Lemay, Management Analyst

SUBJECT: DM 20-163, ENGIE Retail, LLC d/b/a Think Energy
Renewal of Registration as Competitive Electric Power Supplier
Staff Recommendation

TO: Debra A. Howland, Executive Director

Executive Summary

ENGIE Retail, LLC d/b/a Think Energy (ENGIE) has applied to renew its registration as a competitive electric power supplier (CEPS). ENGIE's current registration term runs through December 28, 2020. ENGIE submitted certificates demonstrating it has completed electronic data interchange (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. (Unitil), and an amended surety bond with a one-year non-cancellation period. Staff recommends that ENGIE's registration renewal application be approved, pursuant to N.H. Admin. R., Puc 2003.02(c)(1), for service in the franchise areas of Eversource, Liberty, NHEC, and Unitil for a renewal registration term of three years.

Background and Analysis

On October 2, 2020, ENGIE filed an application to renew its registration as a CEPS. ENGIE's currently-active registration, which the Commission approved in Docket No. DM 15-490, runs through December 28, 2020. ENGIE's application included forms of contracts to be used with residential and small commercial customers. ENGIE also filed, on December 21, 2020, certificates demonstrating that it had completed EDI testing with Eversource, Liberty, NHEC, and Unitil. On December 14, 2020, ENGIE filed an amended surety bond in the amount of \$350,000, which names the Commission as obligee. The amended surety bond originally became effective on November 3, 2017 and cannot be cancelled prior to December 11, 2021.

Staff has reviewed the information in the application and believes it meets the requirements of Puc 2003 and Puc 2006.01. Staff has also reviewed the forms of residential and small commercial customer contracts to be used by ENGIE. Staff therefore recommends that ENGIE's registration renewal application be approved, pursuant to Puc 2003.02(c)(1), for a registration period of three years, beginning on the expiration date of the current registration, December 28, 2020, and ending at the close of business on December 28, 2023, with ENGIE permitted to serve residential and small commercial customers and operate in the service areas of Eversource, Liberty, NHEC, and Unitil.

In light of the number and types of consumer complaints in other states described in ENGIE's registration renewal application, Staff also recommends that ENGIE be directed to provide at least 60 days prior notice to the Commission before commencing any telemarketing or in-person solicitation of residential customers in New Hampshire.

Staff further recommends that ENGIE be informed that, pursuant to Puc 2003.03(e), if a CEPS's financial security instrument will not be renewed or extended beyond its expiration date, it must (1) provide written notice to the Commission of such non-renewal or non-extension no less than 60 days prior to the expiration date, and (2) file with the Executive Director a replacement financial security instrument meeting the requirements of the rules no less than 30 days prior to the expiration date, and that, under Puc 2003.03(f), a CEPS that fails to comply with the requirement to file a replacement financial security instrument is subject to fines, suspension, or revocation pursuant to Puc 2005.

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