



74 Route 6A
Sandwich, MA 02563
(844) 822-8825

November 30, 2020

Executive Director
N.H. Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301

RE: Actual Energy Inc's Application to Become A Competitive Electric Power Supplier in the State of New Hampshire

Dear Executive Director:

Actual Energy, Inc. ("Actual Energy") seeks to become a Competitive Electric Power Supplier in the State of New Hampshire. Please find enclosed the required documentation (original and two copies) and the \$250 filing fee. An electronic copy of this registration application has been sent to you at Executive.Director@puc.nh.gov.

Of additional note: 1) Actual Energy will not market its services nor enroll customers in the State of New Hampshire prior to the official approval of enclosed CEPS application, 2) the original, executed financial security instrument will be filed separately, and will be delivered to you, the Executive Director, via express mail.

Please contact me at 508-981-6712 if you have any questions about this registration application.

Sincerely,

A handwritten signature in blue ink that reads "Diane Mero".

Diane Mero, Senior Vice President Operations
508-981-6712 | diane.mero@actualenergy.com

Enclosures



Competitive Electric Power Supplier Application Form

This form may be used to: (1) apply for initial registration as a competitive electric power supplier (CEPS) in New Hampshire, (2) apply for renewal of registration as a CEPS in New Hampshire, and (3) notify the Commission of any changes to information in a previously filed CEPS application. *This form is provided as a convenience for filing only; you are required to provide all information specified under Puc 2006.01 when applying for initial or renewal registration as a CEPS, but you are not required to use this form when doing so.*

Indicate whether this application is for an initial registration or for a renewal. Initial <input type="checkbox"/> Renewal <input type="checkbox"/>	
Applicant's General Information	
Puc 2006.01(a)	Legal Name Actual Energy, Inc
	Trade Name (d/b/a) (if applicable)
Puc 2006.01(b)	Business Mailing Address 74 Route 6A Sandwich, MA 02563
	Telephone Number 844-822-8825
	E-Mail Address Diane.Mero@actualenergy.com
	Website Address Actualenergy.com
Puc 2006.01(c)	Provide the state or jurisdiction of organization, if anything other than an individual. DE
Puc 2006.01(d)	Provide the name(s), title(s), business address(es), telephone number(s), and e-mail address(es) of the applicant if an individual, or of the applicant's principal(s) ¹ if it is anything other than an individual. Use additional sheets as needed.
	Name Mark Finley
	Title President & CEO
	Business Mailing Address 74 Route 6A Sandwich, MA 02563
	Telephone Number 617-888-2200
	E-Mail Address Mark.Finley@actualenergy.com
	Name
	Title
	Business Mailing Address
	Telephone Number - -
	Email Address
	Name
	Title
Business Mailing Address	
Telephone Number - -	
E-Mail Address	

¹ "Principals" means, for a corporation, any of its officers, directors, or controlling shareholders, for a limited liability company, any of its managers or controlling members, for a partnership, any of its general partners, and for any other business entity, any of its personnel exercising executive functions and any of its controlling equity owners.



Affiliates and Subsidiaries	
Puc 2006.01(e)	Provide the following information regarding any affiliates ² and subsidiaries of the applicant that are conducting business in New Hampshire. Use additional sheets as needed.
	Name of Entity
	Business Address
	Telephone Number
	Provide a description of the business purpose of the entity.
	Provide a description of any agreements with any affiliated New Hampshire utility, and the docket number relative to the filing of any such agreements with the Commission.
	Name of Entity
	Business Address
Telephone Number	
Provide a description of the business purpose of the entity.	
Provide a description of any agreements with any affiliated New Hampshire utility, and the docket number relative to the filing of any such agreements with the Commission.	

² "Affiliate" means any of the following:

- (a) Any person or entity that directly or indirectly owns, controls, or holds with power to vote a majority of the outstanding voting securities or such minority thereof as to give such person substantial control of another person or entity;
- (b) Any person or entity that is directly or indirectly owned, controlled, or held by any person or entity described in (a) above through either power to vote a majority of the outstanding voting securities or such a minority so as to maintain substantial control of such person or entity;
- (c) Any person or entity with which another person or entity has a management or service contract or arrangement that provides such person or entity with effective control over the management, supervision, or operation of the other person or entity; or
- (d) Any person or entity who or which actually exercises effective control over the management, supervision, or operation of another person or entity.



Customer Service Department Contact		
Puc 2006.01(f)	Name	Diane Mero
	Title	SVP Operations
	Toll-Free Telephone Number (if available)	844-822-8825
	Telephone Number	- -
	E-Mail Address	customer@actualenergy.com

Customer Complaints Contact		
Puc 2006.01(g)(1)	Name	Diane Mero
	Title	SVP Operations
	Business Mailing Address	74 Route 6A
		Sandwich, MA 02563
	Telephone Number	844-822-8825
E-Mail Address	diane.mero@actualenergy.com	

Regulatory Compliance Matters Contact		
Puc 2006.01(g)(2)	Name	Diane Mero
	Title	SVP Operations
	Business Mailing Address	74 Route 6A
		Sandwich, MA 02563
	Telephone Number	508-981-6712
E-Mail Address	Diane.mero@actualenergy.com	

Commission Assessment Payments Contact		
Puc 2006.01(g)(3)	Name	John Allario
	Title	CFO
	Business Mailing Address	74 Route 6A
		Sandwich, MA 02563
	Telephone Number	203-219-9971
E-Mail Address	John.allario@actualenergy.com	



Separate Attachments: Business Authority, Trade Name, ISO-NE Market Participation, and EDI Certification	
Puc 2006.01(h)	Provide, as a separate attachment, evidence of the applicant's authorization to do business in New Hampshire from the New Hampshire secretary of state by submitting, with this application form, either of the following: (1) a recent printout of the applicant's listing on the N.H. Secretary of State website with the status "In Good Standing" or words of similar import; or (2) a copy of a certificate from the N.H. Secretary of State's office stating that the applicant is authorized to do business in New Hampshire.
Puc 2006.01(i)	Provide, as a separate attachment, evidence of the applicant's registration of the trade name, if any, to be used by the applicant in New Hampshire from the New Hampshire secretary of state by submitting, with this application form, either of the following: (1) A recent printout of the applicant's trade name on the N.H. Secretary of State website with the status "Active" and indicating that the trade name is owned by the applicant; or (2) A copy of a certificate from the N.H. Secretary of State's office indicating that the applicant has registered as doing business under the trade name.
Puc 2006.01(j)	Provide, as a separate attachment, evidence of the applicant's ISO New England market participant membership.
Puc 2006.01(k)	Provide, as a separate attachment, electronic data interchange (EDI) certification from each electric distribution utility in whose franchise area the applicant intends to operate.

Franchise Areas, Customer Types to be Served, and Other States	
Puc 2006.01(l)	List the utility franchise areas in which the applicant intends to operate and, to the extent the applicant does not intend to provide service in the entire franchise area of a utility, a delineation of the cities and towns where the applicant intends to provide service within each utility franchise area.
Puc 2006.01(m)	Provide a statement whether or not the applicant intends to serve the following types of customers: residential, small commercial, large commercial, and industrial. COMMERCIAL & INDUSTRIAL
Puc 2006.01(n)	List the other states or jurisdictions in which the applicant currently conducts business relating to the sale of electricity. MASS. MAINE



Customer Complaints

Puc 2006.01(o)

Use either the table below or a separate attachment to provide a list disclosing the number and type of customer complaints concerning the applicant or its principals and affiliates filed with or by any commission or regulatory agency, attorney general's office, or other governmental consumer protection regulatory authority, for the most recent 2 calendar years in every state or other jurisdiction in which the applicant has conducted business relating to the sale of electricity.

In the table below, enter abbreviations of applicable states or the jurisdiction across the top row, complaint types in the left column, and, for each cell in the table, the number of complaints for each type within the applicable state or jurisdiction.

Complaint Type	(enter applicable states/jurisdictions in row just below)										Total
	NON										
											0
											0
											0
											0
											0
											0
											0
											0
											0
											0
											0
											0
Total	0	0	0	0	0	0	0	0	0	0	0



Statements Regarding Applicant and its Principals		
Respond to each of the following questions with either "Yes" or "No."		
Puc 2006.01(p)(1)	Has applicant or any of its principals ever been convicted of any felony that has not been annulled by a court?	NO
Puc 2006.01(p)(2)	Has applicant or any of its principals, within the 10 years immediately prior to application, had any civil, criminal, or regulatory sanctions or penalties imposed against it, him, or her pursuant to any state or federal consumer protection law or regulation?	NO
Puc 2006.01(p)(3)	Has applicant or any of its principals, within the 10 years immediately prior to application, settled any civil, criminal, or regulatory investigation or complaint involving any state or federal consumer protection law or regulation?	NO
Puc 2006.01(p)(4)	Is applicant or any of its principals currently the subject of any pending civil, criminal, or regulatory investigation or complaint involving any state or federal consumer protection law or regulation?	NO
Puc 2006.01(p)(5)	Has applicant or any of its principals been denied authorization to provide competitive electricity supply service or electric aggregation service in any other state or jurisdiction?	NO
Puc 2006.01(q)	If an affirmative answer is provided to any item above, then provide a detailed explanation of the occurrence and the related circumstances. Use additional sheets as needed. NA	

Telemarketing		
Puc 2006.01(s)	Does the applicant intend to telemarket? Respond with either "Yes" or "No."	No
If the response to the question above is "Yes," then respond to the following three questions:		
Puc 2006.01(r)(1)	Will the applicant maintain a list of customers who request being placed on the applicant's do-no-call list for the purposes of telemarketing?	
Puc 2006.01(r)(2)	Will the applicant obtain monthly updated do-no-call lists from the National Do Not Call Registry?	
Puc 2006.01(r)(3)	Will the applicant NOT initiate calls to New Hampshire customers who have either requested being placed on the applicant's do-not-call list(s) or who are listed on the National Do Not Call Registry?	

In-Person Solicitation of Residential Customers		
Puc 2006.01(u)	Does the applicant intend to enroll residential customers through in-person solicitation at the customer's residence? Respond with either "Yes" or "No."	No
If the response to the question above is "Yes," then provide the following items as separate attachments:		
Puc 2006.01(t)(1)	A plan for in-person solicitation of residential customers at their residences, including provisions to ensure legal and regulatory compliance and quality assurance.	
Puc 2006.01(t)(2)	A description of the applicant's training program for employees or representatives who will conduct in-person solicitation of residential customers at their residences.	
Puc 2006.01(t)(3)	An identification of any third party vendor or vendors the applicant intends to use to conduct in-person solicitation of residential customers at their residences.	
Puc 2006.01(t)(4)	A copy of the applicant's performance standards and code of conduct for any employees, representatives, or vendors who or which will conduct in-person solicitation of residential customers at their residences.	
Puc 2006.01(t)(5)	A copy of field audit standards used to evaluate the performance of employees, representatives, or vendors who or which will conduct in-person solicitation of residential customers at their residences.	



Sample Bill Form		
Puc 2006.01(v)	Does the applicant intend to use only the utility's billing service? Respond with either "Yes" or "No."	NO
Puc 2006.01(v)	If the response to the question above is "No," then provide a sample of the bill form(s) the applicant intends to use as a separate attachment.	

Residential and Small Commercial Customer Contracts		
Puc 2006.01(w)	Does the applicant intend to serve residential and small commercial customers? Respond with either "Yes" or "No."	NO
If the response to the question above is "Yes," then provide the following item as a separate attachment:		
Puc 2006.01(w)	A copy of each contract to be used for residential customers and for small commercial customers, including any schedules or other documentation attached to, incorporated into, or referenced in such contract.	

File Financial Security Instrument		
Refer to Puc 2003.03 for the financial security requirements.		
Puc 2003.01(b)(2)	Provide an original executed financial security instrument that meets the requirements of Puc 2003.03.	
File the original, executed financial security instrument with the Executive Director. The financial security instrument can be filed separately from the application form, by U.S. mail, overnight express, or hand delivery.		

Submit Application Fee (For Initial Applications Only)		
Puc 2003.01(b)(3)	For an application for initial registration, submit payment of the application fee in the amount of \$250.00 to the Executive Director by U.S. mail, overnight express, or hand delivery. Make check payable to: New Hampshire Public Utilities Commission.	
Note that there is no fee for a renewal application.		

Expected Marketing Start Date		
Puc 2006.01(x)	Provide the date upon which the applicant expects to commence marketing its services to customers in New Hampshire.	1/1/2021 Date

Attestation and Signature		
Puc 2006.01(y) and (z)	<p>BY SIGNING BELOW, THE APPLICANT REPRESENTATIVE CERTIFIES THAT IT HAS THE AUTHORITY TO FILE THE APPLICATION ON BEHALF OF THE CEPS AND ATTESTS THAT THE CONTENTS OF THE APPLICATION ARE TRUTHFUL, ACCURATE, AND COMPLETE.</p> <p><u>Diane Mero</u> Signature of the applicant or its authorized representative</p> <p>Name: <u>Diane Mero</u></p> <p>Title: <u>SVP, Operations, Actual Energy</u></p>	<p><u>12/1/20</u> Date</p>

Filing Instructions		
<p>1) Mail an original and two paper copies of this form and all separate attachments to: Executive Director, NHPUC, 21 South Fruit St., Suite 10, Concord, NH 03301</p> <p>2) E-mail a PDF of this form and all separate attachments to: Executive.Director@puc.nh.gov</p>		



Attachment A

Business Information

Business Details

Business Name: ACTUAL ENERGY INC.	Business ID: 841568
Business Type: Foreign Profit Corporation	Business Status: Good Standing
Business Creation Date: 05/06/2020	Name in State of Incorporation: ACTUAL ENERGY INC.
Date of Formation in Jurisdiction: 10/16/2019	
Principal Office Address: 74 Route 6A, Sandwich, MA, 02563, USA	Mailing Address: 74 Route 6A, Sandwich, MA, 02563, USA
Citizenship / State of Incorporation: Foreign/Delaware	
	Last Annual Report Year: N/A
	Next Report Year: 2021
Duration: Perpetual	
Business Email: john.allario@actualenergy.com	Phone #: 855-344-6637
Notification Email: john.allario@actualenergy.com	Fiscal Year End Date: NONE

Principal Purpose

S.No	NAICS Code	NAICS Subcode
1	OTHER / Retail Electric Supplier to C&I customers	

Principals Information

Name/Title	Business Address
John Allario / Chief Financial Officer	38 Hancock Street, Suite 7, Boston, MA, 02114, USA
Mark Finley / Director	74 Route 6A, Sandwich, MA, 02563, USA
Mark Finley / President	74 Route 6A, Sandwich, MA, 02563, USA
Mark Finley / Chief Executive Officer	74 Route 6A, Sandwich, MA, 02563, USA

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Registered Agent Information

Name: C T Corporation System

Registered Office Address: 2 1/2 Beacon Street, Concord, NH, 03301 - 4447, USA

Registered Mailing Address: 2 1/2 Beacon Street, Concord, NH, 03301 - 4447, USA

Trade Name Information

No Trade Name(s) associated to this business.

Trade Name Owned By

No Records to View.

Trademark Information

Trademark Number	Trademark Name	Business Address	Mailing Address
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No records to view.

[Filing History](#)

[Address History](#)

[View All Other Addresses](#)

[Name History](#)

[Shares](#)

[Businesses Linked to Registered Agent](#)

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NH Department of State, 107 North Main St, Room 204, Concord, NH 03301 – [Contact Us \(/online/Home/ContactUS\)](#)

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Attachment B

Sarah Bresolin Silver, Chair
NEPOOL Membership Subcommittee

April 14, 2020

Mark Finley
President
Actual Energy, Inc.
74 Route 6A
Sandwich, MA 02563

Re: Application for NEPOOL Membership

Dear Mark:

The request of Actual Energy, Inc. (“Actual Energy”) to become a Participant¹ in the New England Power Pool (“NEPOOL”) was approved by the NEPOOL Participants Committee Membership Subcommittee at its April 13, 2020 meeting, subject to the applicable understandings, including those which are reflected in the attachment to this letter.

Please confirm Actual Energy’s acceptance of NEPOOL’s Standard Membership Conditions, Waivers and Reminders by signing a copy of this letter and returning it, *along with a copy of the Standard Membership Conditions, Waivers and Reminders*, to:

Membership Coordinator
c/o ISO New England Inc.
One Sullivan Road
Holyoke, MA 01040-2841
Fax: 413-535-4328
E-mail: memcoord@iso-ne.com

I understand that Actual Energy intends to operate in New England as a load aggregator and power marketer. Your signature on this letter will also serve to confirm that understanding.

Please note the following obligations which are common to all NEPOOL Participants that operate as load aggregators and power marketers:

- (1) each Participant is obligated to provide NEPOOL or the ISO the information that NEPOOL or the ISO determines is required in order to administer and implement the Second Restated NEPOOL Agreement, the Participants Agreement, the Tariff, and these conditions and waivers;



NEW ENGLAND POWER POOL

¹ Capitalized terms used but not defined in this letter are intended to have the meanings given to such terms in the Second Restated New England Power Pool Agreement (“Restated NEPOOL Agreement”), the Participants Agreement, or the ISO New England Inc. Transmission, Markets and Services Tariff (“ISO Tariff”).

Actual Energy, Inc.
April 14, 2020
Page 2

- (2) each Participant is obligated to conform to any future changes in NEPOOL requirements;
- (3) each Participant is obligated to comply with all governmental, regulatory or other legal requirements which must be satisfied as a condition to its participation in NEPOOL or the New England Markets, or which may be otherwise applicable to such participation;
- (4) each Participant is obligated to pay an allocated portion of certain NEPOOL and ISO costs in accordance with the Second Restated NEPOOL Agreement, the Participants Agreement, and the Tariff;
- (5) each Participant is obligated to pay its monthly share of Participant Expenses by the payment date as specified in the Billing Policy (or any successor rule or procedure), which is currently the third Business Day after the issuance of the first weekly statement issued after the tenth of a calendar month (the Monthly Statement due date) but may be subject to change. If a Participant is delinquent two or more times within any period of 12 months in paying on time its share of Participant Expenses or other Hourly or Non-Hourly Charges, such Participant shall pay, in addition to interest on each late payment, a late payment charge for its second failure to pay on time, and for each subsequent failure to pay on time within the same 12-month period (a "Late Payment Charge") in an amount equal to the greater of (i) two percent (2%) of the total amount of such late payment or (ii) \$1,000.
- (6) each Participant is obligated to meet the requirements specified in the Billing Policy on file with the FERC as it may be amended from time to time (Participants are encouraged to regularly review the Billing Policy for any changes to the billing and payment dates or procedures; the far-reaching consequences of the failure to pay all or any part of an amount due when and as due are set forth in the Billing Policy);
- (7) each Participant is obligated to meet the requirements specified in the Financial Assurance Policies on file with the FERC as they may be amended from time to time;
- (8) each Participant is required to submit information to the ISO from time to time, as is necessary to enable the ISO to meet its obligations, concerning any entity owned 10% or more by the Participant or any entity which owns 10% or more of the Participant, including upon a change in ownership or control of the Participant any such entity;
- (9) each Participant, except a Governance Only Member, has the obligation to assure for each transaction that it has identified transmission facilities required to accomplish such transaction and has made appropriate arrangements with the ISO or the owners of such transmission facilities, as appropriate, for use of such facilities;
- (10) each Participant is obligated to provide NEPOOL or the ISO the information that NEPOOL or the ISO determines is required in order to administer and implement the Second Restated NEPOOL Agreement, the Participants Agreement, the Tariff and any other agreement that NEPOOL or the ISO administers and, except a Governance Only Member, to verify that satisfactory transmission arrangements have been made for each transaction;
- (11) for brokered transactions, a Participant while acting, now or in the future, as a broker would not be considered either the purchaser or the seller;

New England Power Pool ● c/o Day Pitney LLP ● 242 Trumbull Street ● Hartford, CT 06103-1212

- (12) each Participant is obligated to conform to standards established by the ISO or any duly authorized NEPOOL committee to assure reliable operation of the New England Control Area, including, without limitation, the obligation to have the ability to subject its load to load shedding as required by the ISO; and
- (13) no Participant may use its rights under the Second Restated NEPOOL Agreement, Tariff or the System Rules to avoid the application of any stranded cost policy, or to avoid or reduce the payment of any applicable stranded costs or access charges related to such stranded cost policy that has been approved by Federal regulators or regulators in any New England state in which that Participant is purchasing or selling electric energy and/or capacity for resale at wholesale or to retail customers.

Please note also that NEPOOL meetings, while not public, are open to all NEPOOL Participants, their authorized representatives and, except as otherwise limited for discussions in executive session, consumer advocates that are not members, federal and state officials and guests whose attendance has been cleared with the Committee Chair (or in the case of a Technical Committee, the Committee Chair or Vice-Chair). All those in attendance or participating, either in person or by phone, are required to identify themselves and their affiliation at the meeting. Official records and minutes of meetings are posted publicly. No statements made in NEPOOL meetings are to be quoted or published publicly.

Upon receipt of this countersigned letter and completion of all NEPOOL and ISO-NE membership application requirements, NEPOOL will make the necessary filing with the Federal Energy Regulatory Commission in order for Actual Energy's membership to become effective.

Very truly yours,



Sarah Bresolin Silver
Chair, Membership Subcommittee
of the NEPOOL Participants Committee



Attachment C

Electronic Data Interchange Certification Information



74 Route 6A
Sandwich, MA 02563
(844) 822-8825

Electronic Data Interchange Certification Information

Energy Services Group

Julian Littlefield
jlittlefield@energyservicesgroup.net
Office: 781.261.5829
Cell: 508.441.8177
Web: energyservicesgroup.net



Attachment D



Actual Energy Customer Number: [REDACTED]
Invoice Number: [REDACTED]
Invoice Date: Sep 26, 2020

Actual Energy Contact Information

Phone: (844) 822-8825
Fax: (855) 807-8914
Hours: 8:30am - 6pm EST
Location: 74 Route 6A
Sandwich, MA 02563

Payment Method: ACH / Check

Billing Address: 74 Route 6A
Sandwich, MA 02563

Email: CustomerCare@ActualEnergy.com

Any balances not paid in full by Payment Date above will be subject to a late fete of 1.5%

Billing Address

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

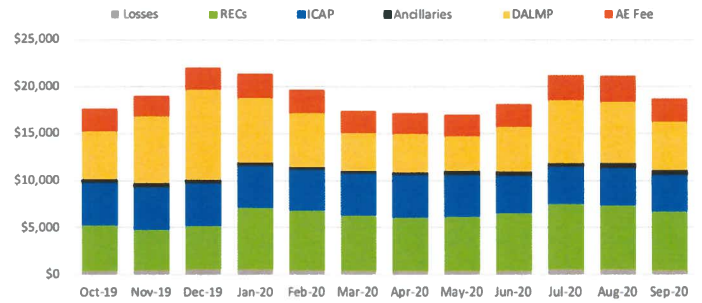
Billing Summary

Current Energy Charges:	\$18,739.68
Sales and Use Tax:	\$0.00
Late Fees / other:	\$0.00
Current Amount Due:	\$18,739.68

Message Center

Thank you for choosing Actual Energy.

Usage Chart



Recent Account Activity

Invoice Details

Account #: [REDACTED] | 245,092 kWh | Aug 28, 2020 - Sep 26, 2020

Billing Type:	Description	Consumption	Rate	Total
Actual	Energy Charge	245,092	\$0.02118	\$5,190.02
Service Address: [REDACTED] [REDACTED] [REDACTED]	Line Loss	245,092	\$0.00191	\$469.17
	Ancillary ~	245,092	\$0.00176	\$431.62
	REC ~	245,092	\$0.02553	\$6,255.98
Total \$/kWh: \$0.07646	Capacity PLC		\$9.85493	\$3,941.97
	AE Fee	245,092	\$0.010000	\$2450.92

Total charges	\$18,739.68
Tax	\$0.00
Subtotal	\$18,739.68